

**NORTHERN ROCKY MOUNTAIN GRAY WOLF
RESTORATION ACT OF 1990**

HEARING
BEFORE THE
SUBCOMMITTEE ON
PUBLIC LANDS, NATIONAL PARKS AND FORESTS
OF THE
COMMITTEE ON
ENERGY AND NATURAL RESOURCES
UNITED STATES SENATE
ONE HUNDRED FIRST CONGRESS
SECOND SESSION
ON
S. 2674

TO PROVIDE FOR THE REESTABLISHMENT OF THE GRAY WOLF IN YELLOWSTONE NATIONAL PARK AND IN CENTRAL IDAHO WILDERNESS AREAS

SEPTEMBER 19, 1990



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NORTHERN ROCKY MOUNTAIN GRAY WOLF RESTORATION ACT OF 1990

WEDNESDAY, SEPTEMBER 19, 1990

U.S. SENATE,
SUBCOMMITTEE ON PUBLIC LANDS,
NATIONAL PARKS AND FORESTS,
COMMITTEE ON ENERGY AND NATURAL RESOURCES,
Washington, DC.

The subcommittee met, pursuant to notice, at 2 p.m., in room SD-366, Dirksen Senate Office Building, Hon. Dale Bumpers, presiding.

OPENING STATEMENT OF HON. DALE BUMPERS, U.S. SENATOR FROM ARKANSAS

Senator BUMPERS. The purpose of the hearing this afternoon is to receive testimony on S. 2674, a bill to provide for the reestablishment of the gray wolf in Yellowstone National Park and in certain wilderness areas in central Idaho.

Wildlife biologists believe that gray wolves inhabited what is now the American West for hundreds of thousands of years. The Northern Rocky Mountain gray wolf, a subspecies of the gray wolf, was found throughout the Northern Rocky Mountains in Idaho, Montana, Wyoming, South Dakota, and parts of Washington and Oregon. During the last half of the 19th century and the beginning of the 20th century, however, the Northern Rocky Mountain gray wolf was eradicated from most of its range.

The once vast herds of natural game which serves as the gray wolf's prey were significantly reduced by settlers and hunters. While these settlers decreased the wolf's native prey, they also offered alternative food for the wolf in the form of domestic sheep and livestock.

The reduction of the wolf's natural prey and the large influx of domestic cattle and sheep resulted in increasing livestock depredations by the wolves. As a result, fear and hatred of the wolves spread throughout the early American West, causing widespread efforts to eradicate gray wolves. Both local governments and stockman's organizations offered bounties for killing them.

Efforts to eradicate wolves even extended into national parks with a 1915 law providing for the extermination of wolves on Federal lands. In the 20 years that followed, approximately 24,000 wolves are believed to have been killed, and by the 1930's no viable wolf populations existed in the West.

Fortunately, in the decades following the demise of the Northern Rocky Mountain gray wolf, the public and Federal Government have become more sensitive to the importance of individual species of plants and animals, so in 1973 Congress passed the Endangered Species Act which provided protection for certain endangered plant and animal species, including the Northern Rocky Mountain gray wolf.

Pursuant to provisions of the Endangered Species Act, an inter-agency recovery team subsequently developed a plan for recovery of the Northern Rocky Mountain wolf which included a set of objectives and outlined suggested tasks which, if accomplished, would provide for viable wolf populations. The recovery plan identified three distinct recovery areas: Northwestern Montana, Central Idaho, and the greater Yellowstone area.

While the Fish and Wildlife Service maintains that natural recovery appears probable in Central Idaho and Northwestern Montana, the probability of natural recolonization in the Yellowstone areas appears extremely remote due to geographic isolation from established wolf populations. The agency, therefore, believes that reestablishment and recovery of the wolf in Yellowstone depends on translocation of wolves into the area.

There is, however, some question in my own mind as to the best approach to take and whether S. 2674 is the most appropriate way to provide for the recovery of the species. I understand that wolf reintroduction may have ramifications for local land and livestock owners, and I would certainly support the Fish and Wildlife Service findings that any such reintroduction should include a control plan for wolves that move outside of the recovery area.

It has been 17 years since the Northern Rocky Mountain gray wolf was included on the endangered species list. This hearing is important in helping this committee decide the best way to provide for the recovery of the species.

[The text of S. 2674 follows:]

101ST CONGRESS
2D SESSION

S. 2674

To provide for the reestablishment of the gray wolf in Yellowstone National Park and the Central Idaho Wilderness Areas.

IN THE SENATE OF THE UNITED STATES

MAY 22 (legislative day, APRIL 18), 1990

Mr. McCLURE introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

A BILL

To provide for the reestablishment of the gray wolf in Yellowstone National Park and the Central Idaho Wilderness Areas.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be referred to as the "Northern Rocky
4 Mountain Gray Wolf Restoration Act of 1990".

5 SEC. 2. Within two years from the date of enactment of
6 this Act, the Secretary of the Interior is directed to introduce
7 three Alpha pairs of gray wolves each into Yellowstone Na-
8 tional Park and into the Idaho portion of the Selway-Bitter-
9 oot and River of No Return Wilderness areas within the
10 areas designated as "Core Zone" on the map entitled "Wolf

1 Core Zone—Idaho, Montana, Wyoming” dated May 17,
2 1990. Prior to introduction of such wolves, the Secretary
3 shall consult with the Governors of Idaho, Montana, and Wy-
4 oming and the Secretary of Agriculture.

5 SEC. 3. Upon introduction, natural dispersal of the
6 wolves shall be permitted and no effort may be taken to re-
7 strict such dispersal: *Provided*, That the Secretary shall im-
8 mediately replace any wolves that do not remain within the
9 core zones. Each wolf introduced pursuant to this Act shall
10 be equipped with a radio collar for monitoring purposes. At
11 such time as the Secretary determines that three pairs have
12 established themselves within the core zone in Idaho for a
13 period of three years, the Secretary shall restrict the
14 boundaries of the core zone to coincide with the established
15 territories.

16 SEC. 4. The Secretary is authorized and directed to
17 permit the natural recolonization of gray wolves in the area
18 designated as a “Natural Recovery Area” on the map enti-
19 tled “Natural Recovery Area—Montana” dated May 22,
20 1990.

21 SEC. 5. Effective on the date of enactment, the gray
22 wolf is hereby declared and determined not to be a threat-
23 ened or endangered species within the meaning of the Endan-
24 gered Species Act (Public Law 93-205, 87 Stat. 884, as
25 amended) outside the areas designated as “Core Zone” on

1 the map referred to in section 2 of this Act and outside the
2 area designated as a "Natural Recovery Area" on the map
3 referred to in section 4 of this Act within the States of Idaho,
4 Montana, and Wyoming and may not be so determined in the
5 future other than by specific designation as such in an Act of
6 Congress.

Senator BUMPERS. I want to welcome all the witnesses who are testifying today and look forward to hearing your comments on this very important issue. Unfortunately, due to the heavy Senate schedule this afternoon I am going to ask witnesses to limit their oral testimony to between 3 and 5 minutes. The hearing record will be open for 2 weeks to allow for additional comments and testimony.

Senator McClure.

STATEMENT OF HON. JAMES A. McCLURE, U.S. SENATOR FROM IDAHO

Senator McCLURE. Thank you very much, Mr. Chairman. I do very much appreciate your willingness to hold this hearing to receive the testimony on my bill to reintroduce gray wolves into the Northern Rockies.

The gray wolf recovery plan that has been approved by the Fish and Wildlife Service recommends three geographic areas in which wolves should be restored and protected. My bill, S. 2674, the Rocky Mountain Gray Wolf Restoration Act of 1990, provides for the reintroduction of wolves into Yellowstone National Park and the Central Idaho wilderness area. A third area located in Northwestern Montana is designated as a recovery area, but natural recolonization, already underway, will continue to be monitored and used for recovery purposes.

At the same time it provides legislative protection for the legitimate uses of public lands by other multiple use interest groups. Such protection is necessary by virtue of the fact that some organizations and individuals are more interested in using the wolf as a surrogate for other political agendas or for fundraising than they are in the actual reestablishment of wolf populations in the Northern Rockies.

The bill also recognizes that legitimate interests of the three States involved and their role as managers or co-managers of all resident wildlife within the borders of their respective States. Without the cooperation of the States, any recovery effort is doomed to failure. I will not take the time here to review why the wolf is listed as an endangered species in the Lower 48. Most of you are already familiar with that part of this controversy.

I do want to point out, however, once again that the subspecies of wolves that originally lived in and around Yellowstone are extinct. Few will argue that point. As a consequence, the gray wolf recovery plan approved by the Fish and Wildlife Service makes no distinction in subspecies in its recommendations about how best to recover wolf populations. Indeed, for the purposes of Yellowstone recovery as recommended by the recovery team, almost any wolf will do.

S. 2674, as drafted, is the result of my involvement in the wolf recovery issue for almost 4 years. I want to see something done about the issue but not at the expense of those who must use the public lands to support their families. My bill is a sincere attempt to find a compromise solution that provides the means to reestablish wolf populations in both areas while protecting the legitimate interests of ranchers, hunters and others at the same time.

Both sides must give a little in order to get a little. Otherwise, because of the polarization in the controversy, one side or the other will be forced to capitulate. Extremists on both sides continue to believe they will prevail. I continue to hope we can find a way to prove them both wrong, and I believe this bill is the first step in doing just that.

Mr. Chairman, I am anxious to hear from the witnesses this afternoon. There will undoubtedly be testimony presented from some that will criticize this bill from both directions without offering any contribution to a solution. On the other hand, I am also sure we will hear some good suggestions about how to improve the bill. I intend to remain open to any suggestions that will help move us toward resolution of this issue, and I look forward to hearing the testimony this afternoon.

Thank you, Mr. Chairman.

Senator BUMPERS. Senator Wallop.

STATEMENT OF HON. MALCOLM WALLOP, U.S. SENATOR FROM WYOMING

Senator WALLOP. Thank you, Mr. Chairman. I might ask unanimous consent to be able to introduce a letter from Governor Sullivan of Wyoming in considered opposition and a letter from the Wyoming Fish and Game Department, Director Pete Petra, concerning the costs to the State wildlife agency of managing populations of wolves outside State boundaries.

Senator BUMPERS. Without objection, that will be admitted to the record.

Senator WALLOP. Mr. Chairman, discussions of a possible reintroduction of the gray wolf into Yellowstone National Park has captured the attention and the passion of many interest groups and the sentiments of lots of people who really feel more about the sort of idealized Hansel and Gretel view of the wolf than the reality of its presence. To portray this legislation as a gentle debate is to say that Saddam Hussein is only misunderstood.

You will hear today witnesses from Wyoming who represent a cross-section of views. My friend, Carolyn Paseneaux, representing the commodity groups in my State, is a respected and knowledgeable spokesman who understands the serious dimensions of this idea. Of course, Fish and Wildlife Service Director John Turner and Yellowstone Superintendent Bob Barbee have the unenviable task of making the case for reintroduction. I might say at least they do not have the ulterior motive of using a species' status to gain the control over policies and ministrations of the region.

I also want to acknowledge the time and effort of Jim McClure on this issue. He has made a serious attempt to craft legislation which permits the wolf reintroduction while also attempting to protect the region and my constituents from the ramifications of this action, but much still needs to be done. I am sure Senator McClure will agree that this bill needs to go further in addressing the potential threats to our wildlife in other multiple use activities. This is why both the Wyoming Game and Fish Commission as well as the Wyoming Game and Fish Department and our Governor have expressed their opposition.

Mr. Chairman, there are aspects to this legislation which cause me real concern. I remain opposed to the reintroduction of wolves, and as a rancher I do not want these animals in my State. I do also know, however, that wolves could arrive in Yellowstone by natural migration. If that premise is inevitable, I would prefer to have the opportunity to manage these predators on terms and conditions that the residents of my State can live with and not be shackled by the onerous provisions of the Endangered Species Act.

Involvement of the affected States is absolutely essential. In my opinion, the States must be afforded total management authority for wolves that are outside the core zone boundaries, and accommodations must be made to reimburse the States for the cost of administering such a program. In other words, if a wolf strays the Feds pay.

Another critical aspect of this proposal concerns management actions inside the park. Should wolves become a nuisance in visitor use areas or if they unduly affect the numbers of other endangered or sensitive species including game animals, the Park Service must be willing to take prompt and decisive action.

What about predation? If wolves exit Yellowstone National Park—and they will—and kill wildlife and stock—and they will—who will be responsible for compensating the States or the ranchers for the damage? I would not want to ask the men and women who ranch in Northwest Wyoming to settle for a pig in a poke. The compensation program must be clear, concise, and guaranteed before the first wolf sets foot in Yellowstone.

Underpinning this list of particulars is the inevitability that some environmental groups, though not all, will look upon the wolf as a powerful new weapon they can use to bludgeon multiple use activities in the national forest surrounding the park. I will listen carefully today to those who propose the listing of the gray wolf outside the core areas and those who instead advocate the section 10(j) nonessential experimental population designation under the Endangered Species Act to see if either of these two scenarios can allay this major concern. I do not want the gray wolf to become Wyoming's spotted owl.

In closing, I would ask unanimous consent to submit for the record the letter from Governor Sullivan and the letter from Pete Petra and the statement from Larry Bourret to the Wyoming Farm Bureau Federation.

Thank you, Mr. Chairman.

[The information referred to follows:]



STATE OF WYOMING
OFFICE OF THE GOVERNOR
CHEYENNE 82002

MIKE SULLIVAN
GOVERNOR

September 19, 1990

The Honorable Malcolm Wallop
Ranking Republican Member
Subcommittee on Public Lands,
National Parks and Forests
United States Senate
Washington, DC 20510

Dear Malcolm:

I appreciate this opportunity to address the Subcommittee regarding S. 2674, and I would like to thank you for your gracious offer to read my testimony into the official record of this hearing. Certainly, the issue of reintroduction of wolves into Yellowstone National Park is important to the State of Wyoming, and this hearing is a welcome forum to provide Wyoming's perspective to the debate.

Both my predecessor, the late Governor Ed Herschler, and I have followed with interest the evolving public debate over whether or not wolves should be reintroduced into the Park. Neither of us could identify a problem that Wyoming has which would be solved by wolf reintroduction. To the contrary, our common position has been that such action would inevitably cause additional conflict and controversy in an area in which management is already incredibly complex. Consequently, the current position of the State of Wyoming is that of opposition to wolf reintroduction under the scenarios that have been presented to date. This is also the current position of the Wyoming Game and Fish Commission.

I articulated this position, in my remarks to the House Subcommittee on Public Lands and National Parks regarding H.R. 2786, on July 20, 1989. In that testimony I stated that "Perhaps some creative proposal or vehicle can be developed that would address and ameliorate my concerns and, if so, I am open for discussion."



The Honorable Malcolm Wallop
September 19, 1990
Page Two

I remain open to rational dialogue about this issue which has generated so much emotionalism and dogma in the past. I consider S. 2674 to be an improvement over former proposals, however my fundamental concerns remain.

In order to further the discussion and assist the Subcommittee in your work on S. 2674, I will share with you the questions that remain unresolved in my mind as I read the bill. First and foremost is the question of the costs of wolf management, control and depredation reparations when wolves cross the boundaries of Yellowstone National Park. My reading of the bill indicates that these costs are to be borne by the states when wolves leave designated areas and are no longer under the Endangered Species Act. Wyoming has learned from bitter experience that, when management actions - or inactions, as the case may be - are taken within a federal enclave such as Yellowstone National Park, impacts and consequences are felt outside the borders of those areas. A case in point is the fire season of 1988. The federal fire management policy within National Parks resulted in uncontrolled wildfires crossing administrative boundaries and causing significant and costly damage to resources and economies outside the Park borders. The federal government even went so far as to suggest that the states should bear a financial burden for the efforts to fight fires that were a direct result of federal management.

I see a troubling corollary to this approach in S.2674, in that the states are again being asked to commit scarce funds to offset the negative effects of federal actions taken within a National Park. Fairness dictates that, if the federal government locates wolves in Yellowstone National Park, then the federal government must be willing to accept responsibility for any and all costs of management, regardless of where that management must occur and regardless of the wolf's status under the Endangered Species Act.

Additionally, I have very deep concerns regarding the effects of wolf reintroduction upon Wyoming's important livestock industry and our world-renowned wildlife resource. Any support on the part of the State of Wyoming for wolf reintroduction must be conditional on adequate assurances that these two aspects of life in Wyoming are not in the least jeopardized.

Livestock producers must be fully indemnified against losses resulting from wolf predation, period.

Big game herds that habituate northwestern Wyoming must not be considered merely a handy source of food for newly-reintroduced wolves. Wildlife managers who have dedicated their

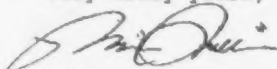
The Honorable Malcolm Wallop
September 19, 1990
Page Three

careers to the welfare of these herds and sportsmen who travel to Wyoming from around the world to enjoy this resource must not be asked to subsidize a federal wolf reintroduction initiative. An example of a situation that causes me great concern is the proximity of the Whiskey Mountain Bighorn Sheep herd to Yellowstone National Park. This sheep herd, the largest in the lower forty-eight states, is an incredibly important source of sheep for transplantation nationwide. Threats posed to this population by wolf predation are simply not acceptable. The potential negative effects to Wyoming's wildlife resource posed by the wolf, and the resulting decrease in hunting opportunities and income to the state have not yet been adequately discussed. Until they are and until I am assured that the federal government is capable and willing to prevent these impacts or compensate for them, I have little recourse but to continue to oppose wolf reintroduction. Given the ongoing budget negotiations and the Gramm-Rudman sequestrations hanging, like a sword of Damocles, over these negotiations, I remain respectfully unconvinced that, even if the willingness was evident, the capability to address these concerns is lacking.

Again, thank you for this opportunity to address the Subcommittee on this important topic. I sincerely hope that my input is a positive contribution to your discussions, as that is certainly the spirit in which it is offered. I will continue to follow this issue closely and will remain open to new ideas and concepts that speak to the concerns that I have identified.

With warm personal regards, I am

Very truly yours,



Mike Sullivan

MS/rm

WYOMING
GAME AND FISH DEPARTMENT

Mike Sullivan, Governor



Francis Petera, Director

August 14, 1990

REF: LWALLOP

Senator Malcolm Wallop
US Senate
452 Russell Senate Office Building
Washington, DC 20510

Dear Senator:

As per your phone request of July 17th, attached please find a report compiled by my staff relative costs of wolf control in other states and provinces.

After reviewing this information, it is our opinion that wolf control costs in Wyoming would approximate \$500 per wolf by aerial gunning, and \$800 per wolf by trapping. This estimate does not include any costs associated with depredation reimbursement. Any live-capture and relocation efforts would, of course, be substantially higher, and would probably compare to Montana's documented costs for that alternative.

If you have any questions or need for further information, please let me know.

Sincerely,

Francis Petera
Francis Petera
Director

FP:swj
Attachments

cc: Governor Sullivan
Jay Lawson
Commission Members
File

WYOMING
GAME AND FISH DEPARTMENT

Mike Sullivan, Governor



Francis E. Petera, Director

August 14, 1990

TO: Francis "Pete" Petera
FROM: Harry Harju
SUBJECT: Economics of Wolf Control
COPIES TO: File

Attached is information from a state and province survey on wolf control costs. As you can see, costs vary greatly and are dependent upon specific factors unique to each state or province. Options for population control include denning, toxicants, trapping, ground shooting, bounties, aerial gunning, and sterilization. Trapping and aerial gunning are the most popular methods for lethal control since other methods are ineffective, illegal, and/or unacceptable to the public. Helicopters and trapping are also the most effective means to live-capture wolves.

Costs listed in the attached table are rough estimates. Aerial gunning using a helicopter is the most desired and effective control method. Using a spotter plane to locate a pack before bringing in a helicopter is a technique often used to make aerial control more economical. Another technique is to radio-collar a wolf and let it lead wildlife managers to the pack (Judas Wolf Principle). Aerial gunning is most effective in open areas and is most economical when time to locate problem wolves is kept to a minimum. Ferry time in back country will also increase costs. If control actions are occurring in areas of high wolf densities and all wolves are targeted, success is likely to be high with cost figures more favorable. Taking animals in low density areas or trying to take a specific problem wolf will usually result in higher control costs.

Montana has high costs per wolf because they try to relocate problem wolves if there are less than six wolf packs in the state. Relocating requires increased time and manpower, thus higher costs. If lethal control methods were used, costs would be considerably less. Montana, as well as other states and

Page 2
Peters
8/14/90

provinces, has shown that live-capture is possible, but at increased costs. Using live-capture to relocate is possible but often just moves the problem. It is usually restricted to areas where wolf numbers are low and every wolf is essential to the population.

When control programs are initiated to take offending wolves, it must be remembered that most of the time a pack of wolves and not one individual will need to be killed. This usually means that aerial gunning will be the most efficient method of control. Even though the public tends to accept control programs to stop livestock depredations, the technique used to carry out the program is often a point of disagreement. Why should it make any difference how a wolf is killed as long as it is done humanely (example - Judas Wolf Principle)? Controversy over wolf control affects all states and provinces surveyed, especially when control programs are used to increase wild ungulate populations. Several agencies are unable to operate control programs for this reason.

In Montana, Defenders of Wildlife pays damage claims to livestock owners when livestock is killed by wolves. This appears to be a key to the livestock industry accepting Montana's expanding wolf population.

In summary, wolf control is carried out in all states and provinces surveyed. Control programs are primarily related to livestock depredation problems although programs to benefit wild ungulates are carried out by a few provinces. In the past most states and provinces controlled wolves to benefit wild ungulate populations, but recent history has seen public opposition grow thus ending most of these programs. It is difficult to determine which method of control is most cost effective because estimates vary depending on the specific control situation. Relocation does not appear to be an acceptable solution. Most states and provinces which have sufficient numbers of livestock, also have a compensation program.

I believe this information should answer your questions. If you need additional information, let me know.

SURVEY OF STATES AND PROVINCES ON WOLF CONTROL COSTS

STATE/ PROVINCE	CONTROL METHODS	AGENCY RESPONSIBLE FOR CONTROL PROGRAM (INCLUDES FUNDING)	CONTROL COSTS	ARE DAMAGE CLAIMS PAID (AGENCY)	COMMENTS
ALASKA	Aerial Gunning Poison Bounties Public Aerial Gunning Permits	Alaska Fish & Game	\$850/wolf \$500-1000/wolf in remote areas requiring helicopter access \$300/wolf minimum to be effective \$200/wolf-cost to the dept. is for permit process and surveys	No	Current restriction on wolf control placed on the Dept. by the governor. Public meetings on wolf control generate lots of input.
MINNESOTA	Traps and Saares	USDA-ADC	\$1300-1500/wolf	Yes State Ag Dept.	Wolf is classified as a threatened species. Control is limited to depredating packs and individuals. Environmentalists took USDA to court and got trapping restrictions implemented.
MONTANA	Traps Fixed Wing Helicopter -net gun -tranquillize	USFWS USDA-ADC	\$6000/wolf-1st objective is to relocate (utilizing all methods)	Yes Defenders of Wildlife	Wolf is classified as an endangered species by Montana state law. If there are less than 6 packs in the state, relocation is first option. That is why costs are high. Aerial gunning is most effective lethal method (radio collar one wolf and let it return to the pack). In 1989, animal rights activists disrupted a trapping operation.
ALBERTA	Toxicants (strychnine) Government Trapping Aerial Gunning	Alberta Fish and Wildlife	\$200-300/wolf \$600-800/wolf \$300-1000/wolf	Yes Provincial Dept. of Ag	Control is limited to livestock depredation problems. Primarily use strychnine but also trapping. No controversy with livestock depredation controls, but there is no control program to enhance ungulate

populations do to opposition from environmental groups. Cost estimates for trapping and aerial shooting are from the Alberta wolf mgt. plan and were obtained from other provinces.

Use aerial gunning when possible; spotter plane & helicopter. One gunning program was shut down due to public objection. Live trapping techniques are improving, but relocating problem wolves just moves the problem.

No sustained control program since the 1950s or 60s. Controlled two wolf packs in the 1980s that were causing problems with domestic dogs.

Controls have been implemented in areas of subsistence hunting. There is controversy when control programs are initiated to control wolf/ungulate ratios. Relocation of problem wolves just moves the problem.

BRITISH COLUMBIA	Aerial Gunning Trapping Toxicants - Cpd. 1080 (single doses)	Ministry of Environment	\$125-150/wolf approx. \$300/wolf \$40-50/wolf-easy access areas *	No	Use aerial gunning when possible; spotter plane & helicopter. One gunning program was shut down due to public objection. Live trapping techniques are improving, but relocating problem wolves just moves the problem.
NW TERRITORIES	Aerial Gunning	Dept. of Renewable Resources	approx. \$375/wolf	No	No sustained control program since the 1950s or 60s. Controlled two wolf packs in the 1980s that were causing problems with domestic dogs.
YUKON TERRITORY	Aerial Gunning	Dept. of Renewable Resources	\$400-500/wolf (livestock) approx. \$1500/wolf (wildlife)	No.	Controls have been implemented in areas of subsistence hunting. There is controversy when control programs are initiated to control wolf/ungulate ratios. Relocation of problem wolves just moves the problem.

* Alaska Department of Fish and Game. 1985. An Assessment Of Wolf Predation Control Alternatives For Portions Of Interior Alaska.

Table 2. Comparison of wolf management techniques.

Management Techniques	Selection of Target Species	Cost/Wolf	Short Term Effect	Long Term Effect	Public Opposit.
Poison	p - m *	1 - h** \$3-400(1) \$320 (2)	m - h	m - h *	h
Aerial Shooting Government	h	h \$1000(3) \$2500(4)	m - h	m - h *	m
Aerial Shooting Public	m	l	p	p	m - h
Ground Shooting	h	1 - m	p	p	l
Trapping or Snaring	p - m	m	p - m	p - m *	l
Bounty	p - h	m \$200 (5)	p	p	m - h
Total protection	N/A	l	N/A	N/A	1 - h
Interpretive	h	N/A	N/A	N/A	l
Research	h	1 - h	N/A	N/A	l

p - poor, l - low, m - moderate, h - high

* - dependent on size of control area

** - dependent on access to control area

(1) Kowal and Runge (1961)

(2) Bjorge and Gunson (1983)

(3) Kellyhouse (1982)

(4) Alaska Wildlife Alliance Newsletter July-August (1983)

(5) YTC News Release December 22, 1983

N/A - Not Applicable

Clarkson, Peter L. 1990. Wolf Management: An Evaluation and Recommendations. Masters Thesis, University of Calgary, Alberta. 144 pages



WYOMING FARM BUREAU FEDERATION

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September 17, 1990

Senator Malcolm Wallop
U.S. Senate
Washington, D.C. 20510

Dear Malcolm:

We are writing about the hearing to be held this week on Sen. McClure's wolf bill. We believe several questions need to be asked at the hearing.

We appreciate your letter relative to receipt of the Farm Bureau petition requesting delisting of the gray Wolf (Canis lupus). We feel the issue of DNA analysis and hybridization of species or subspecies should be thoroughly discussed in open forums such as the hearing relative to Sen. McClure's wolf bill.

It is our contention that DNA analysis conducted by the U.S. Fish and Wildlife Service in Minnesota confirms what scientists have suspected for several years -- that wolves and coyotes interbreed which creates a hybrid. The result is a species that has no business being on the Endangered Species Act list. It may have the appearances, or phenotype, of a wolf, or a wolf-coyote or a coyote but with a genotype, or genetic make up, of a hybrid.

We know of two contracts the National Park Service has let to do DNA fingerprinting of wolves, coyotes and dogs in the Northern Rockies which includes southern Canada. Rep. Craig Thomas was told by the Fish and Wildlife Service that they were doing no DNA analysis on wolves, coyotes and dogs. Isn't that amazing! The agency which in April reported that over half of the wolves analyzed in Minnesota contained coyote DNA has suddenly given up research into that subject -- after a discovery which is perhaps the biggest news in wildlife matters in this century! If they aren't doing such research they are apparently afraid of the results. If they are doing such research they didn't tell Rep. Thomas the truth.

At the hearing we request that you question the Fish and Wildlife Service and the Interior Department on what they plan to do on DNA analysis of Endangered Species to determine if they are protecting species which either don't exist in a pure genetic sense or that are impossible to protect because of hybridization. Even if a stock of pure wolves could be found they would become genetically diluted in a short period of time if placed in an area where coyotes or dogs are.

The citizens of this country deserve answers about species and subspecies which are listed, as relates to their true genetic makeup. We are told hybrid Spotted Owls have been found by the Forest Service. Peregrine falcons are said to have the same problem. The Park Service now feels that some Mountain Goats are not genetically pure, although they are not on the Endangered or Threatened lists. We have found that ferrets hybridize with ermine, European polecats, Turkestan polecats and Steppe

Page two

poilecats. I was told 16 or 17 years ago that Siberian polecats were brought into this country years ago for prairie dog control. Have any remaining Black footed Ferrets hybridized with those polecats? I don't believe this nation can squander money on frivolous fancies. We need answers as to these allegedly Endangered Species so we can be sure we are not squandering funds. It would seem to me that DNA analysis would clear up many of the problems with listed species. We might even find that hybridization is bringing about more new species annually than are alleged to be lost to extinction. I realize the Endangered Species Act might be endangered through obtaining this more precise knowledge but that would be less expensive than the way we are hamstringing the economic sector with listings and regulations of questionable "species".

Questions also might be asked at the hearing about DNA analysis which might have already been conducted, but is yet unreported, on some of these species. What does the Secretary of Interior intend to do if it is found that wolves and coyotes are hybridizing? What is the plan? Will coyotes in wolf areas be eliminated? Will dogs be eliminated? Will the Fish and Wildlife Service request delisting of any species which appears to be hybridizing? If the FWS does not propose delisting what do they propose to do? Will persons "taking" a hybrid have enforcement actions taken against them? If so will the charge be that the person took an Endangered Species or a hybridized species which someone listed as an "Endangered Species"? Will the federal government enforce regulations relative to Endangered Species or enforce regulations relative to a hybridized "Endangered" species? I realize the wolf is a CMF (charismatic megafauna) species, and that a number of environmental groups and government employees have a lot of face on the line, but is the government going to rely on "hype" or on science?

As relates to Sen. McClures bill we oppose that legislation. We feel it would be a violation of the intent of Executive Order 11987, signed by President Carter in 1977. That Order says, "Executive agencies shall, to the extent permitted by law, restrict the introduction of exotic species into the natural ecosystems on lands and waters which they own, lease, or hold for purposes of administration; and shall encourage the States, local governments, and private citizens to prevent the introduction of exotic species into natural ecosystems of the United States." "Exotic species" is defined as, "--- all species of plants and animals not naturally occurring, either presently or historically, in any ecosystem of the United States." "Native species" means, "all species of plants and animals naturally occurring, either presently or historically, in any ecosystem of the United States." Therefore the federal government has a responsibility to first determine if hybridization might be occurring to insure that only native animals are introduced into an ecosystem. Until the determination is made that hybridization is NOT occurring introduction of gray wolves, or any other species, would be a violation of the Executive Order 11987.

If Sen. McClure's bill were enacted we would be constantly facing a situation comparable to the wilderness issue -- there will never be enough wilderness to satisfy wilderness proponents and those same groups will never feel there are enough wolves. For those who say we cannot do anything if wolves naturally migrate into the Yellowstone area we must comment that wolf control guidelines already exist, and have been used

Page three

to control wolves in Montana. A solution exists regardless of attempts by some to ignore it. We don't know at this time if wolves coming in from Canada are wolves, coyotes or "woyotes" (the name we have given the hybrids). The best thing the government could do is subject our delisting petition to a full year review (pursuant to the Endangered Species Act) and then make a determination as to the purity of Gray wolves. If such purity is in question they should hold off on any introduction proposals in the meantime. The federal government should do DNA analysis to determine what is happening in nature. I believe it would be difficult to find a pure wolf population and impossible to maintain it given the hybridization issue.

Please advise us if you need additional information.

Sincerely,

Larry V. Bourret

Larry V. Bourret
Executive Vice President

cc: Sen. Simpson

Enclosures: Executive Order 11987

EXECUTIVE ORDERS

National Security Affairs and include the Secretary of State, Secretary of Defense, Director of Central Intelligence and Chairman of the Joint Chiefs of Staff, as members, and the Attorney General and Director of the Office of Management and Budget, as observers."

(c) In paragraphs (2) through (4), delete "Operations Group" wherever it occurs and substitute therefor "SCO".

Sec. 6. Section 6 of Executive Order No. 11905 is amended as follows:

(a) In paragraph (1) of subsection (a), delete "The members of the Oversight Board may also serve on the President's Foreign Intelligence Advisory Board (Executive Order No. 11460 of March 20, 1969)."

(b) Delete subsection (f).

Sec. 7. Section 8(a) of Executive Order No. 11905 is amended by deleting the words "Committee on Foreign Intelligence" and substituting therefor "PRC".

JIMMY CARTER

THE WHITE HOUSE,
May 18, 1977.

No. 11986

May 20, 1977, 42 F.R. 26407

RELATING TO CERTAIN POSITIONS IN LEVELS IV AND V
OF THE EXECUTIVE SCHEDULE

By virtue of the authority vested in me by Section 5317 of Title 5 of the United States Code, and as President of the United States of America, it is hereby ordered as follows:

Section 1. Section 1 of Executive Order No. 11861,²⁸ as amended, placing certain positions in level IV of the Executive Schedule, is further amended by deleting "(6) Director of Telecommunications and Command Control Systems, Department of Defense," and "(7) Principal Deputy Director of Defense Research and Engineering, Department of Defense."

Sec. 2. Section 2 of Executive Order No. 11861, as amended, placing certain positions in level V of the Executive Schedule, is further amended by adding thereto "(1) Principal Deputy Assistant Secretary for Communications, Command, Control and Intelligence, Department of Defense," and "(9) Director of Policy Review, Department of Defense."

JIMMY CARTER

THE WHITE HOUSE,
May 20, 1977.

No. 11987

May 24, 1977, 42 F.R. 26949

EXOTIC ORGANISMS

By virtue of the authority vested in me by the Constitution and statutes of the United States of America, and as President of the United States of America, in furtherance of the purposes and policies of the Lacey Act (18 U.S.C. 42) and the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 et seq.), it is hereby ordered as follows:

Section 1. As used in this Order:

(a) "United States" means all of the several States, the District of Columbia, the Commonwealth of Puerto Rico, American Samoa, the Virgin Islands, Guam, and the Trust Territory of the Pacific Islands.

28. 5 U.S.C.A. § 5317 note.

EXECUTIVE ORDERS

(b) "Introduction" means the release, escape, or establishment of an exotic species into a natural ecosystem.

(c) "Exotic species" means all species of plants and animals not naturally occurring, either presently or historically, in any ecosystem of the United States.

(d) "Native species" means all species of plants and animals naturally occurring, either presently or historically, in any ecosystem of the United States.

Sec. 2. (a) Executive agencies shall, to the extent permitted by law, restrict the introduction of exotic species into the natural ecosystems on lands and waters which they own, lease, or hold for purposes of administration; and, shall encourage the States, local governments, and private citizens to prevent the introduction of exotic species into natural ecosystems of the United States.

(b) Executive agencies, to the extent they have been authorized by statute to restrict the importation of exotic species, shall restrict the introduction of exotic species into any natural ecosystem of the United States.

(c) Executive agencies shall, to the extent permitted by law, restrict the use of Federal funds, programs, or authorities used to export native species for the purpose of introducing such species into ecosystems outside the United States where they do not naturally occur.

(d) This Order does not apply to the introduction of any exotic species, or the export of any native species, if the Secretary of Agriculture or the Secretary of the Interior finds that such introduction or exportation will not have an adverse effect on natural ecosystems.

Sec. 3. The Secretary of the Interior, in consultation with the Secretary of Agriculture and the heads of other appropriate agencies, shall develop and implement, by rule or regulation, a system to standardize and simplify the requirements, procedures and other activities appropriate for implementing the provisions of this Order. The Secretary of the Interior shall ensure that such rules or regulations are in accord with the performance by other agencies of those functions vested by law, including this Order, in such agencies.

JIMMY CARTER

THE WHITE HOUSE,
May 24, 1977.

No. 11988

May 24, 1977, 42 F.R. 26951

FLOODPLAIN MANAGEMENT

By virtue of the authority vested in me by the Constitution and statutes of the United States of America, and as President of the United States of America, in furtherance of the National Environmental Policy Act of 1969, as amended (42 U.S.C. 4321 et seq.), the National Flood Insurance Act of 1968, as amended (42 U.S.C. 4001 et seq.), and the Flood Disaster Protection Act of 1973 (Public Law 93-234, 87 Stat. 975), in order to avoid to the extent possible the long and short term adverse impacts associated with the occupancy and modification of floodplains and to avoid direct or indirect support of floodplain development wherever there is a practicable alternative, it is hereby ordered as follows:

Section 1. Each agency shall provide leadership and shall take action to reduce the risk of flood loss, to minimize the impact of floods on human safety, health and welfare, and to restore and preserve the natural and beneficial values served by floodplains in carrying out its

Senator BUMPERS. Thank you, Senator Wallop.
Senator Burns.

STATEMENT OF HON. CONRAD BURNS, U.S. SENATOR FROM
MONTANA

Senator BURNS. Thank you, Mr. Chairman. I appreciate your willingness to hold this hearing. I, too, have a letter opposing any kind of reintroduction from the Montana Farm Bureau, and I would ask that to be entered into the record.

Senator BUMPERS. Without objection.

Senator BURNS. Mr. Chairman, this is a very difficult issue and one that has sort of raised the interest of stockmen and citizens of Montana because we, along with the States of Idaho and Wyoming, are the States of impact. Yet, we sort of see the decisions being made outside of those parameters and expecting us to live with it.

There are some who would oppose any kind of wolf restoration plan, principally simply because they do not want to admit that we have wolves in the Northern Rockies. There are plenty of wolves just across the border in Canada. Frankly, that kind of head-in-the-sand attitude is counterproductive. I do not know about Wyoming and Idaho, but I do know that Montana has wolves. Wolves are coming in from Canada, and they are spreading throughout Western Montana.

My concern is not with wolf restoration but with wolf management. We are already experiencing livestock loss to wolves. A few weeks ago a family in western Montana returned home from an outing to find a wolf had killed their dog. We have many, many reports of pets being lost to wolves. The wolf was still hovering over the dead family pet in their own backyard. This happened during the time of the year when food supply for the wolf was plentiful.

As I said, my concern is with the management of the wolf. Before we take any action to introduce or augment any wolf populations, I believe we need to give the States the authority to manage wolves that we already have. The American Farm Bureau has petitioned to have the wolf delisted since there is some question as to whether we are dealing with a wolf or a wolf/coyote/dog hybrid.

I do not know all the specifics about this, and I hope to learn more about it today. I do believe we would be jumping the gun just a little bit to introduce wolves before we know the answer to these questions.

As I understand it, any wolves introduced into Yellowstone or central Idaho would probably be brought in from Canada or Alaska, and I find it particularly interesting that the National Park Service would promote and support introduction of these exotic wolves at the same time they are discussing eliminating exotic mountain goats that wander in from immediately outside the park.

In Montana we have been struggling for the past several years to deal with large numbers of bison in the park, and finally I think we have come up with a plan, working with the Governor of the State of Montana and Mr. Barbee of Yellowstone National Park, who have shown a willingness to really take the problem in hand

and work on it. I have introduced a bill that would reimburse those stockmen who were impacted by brucellosis, and we hope to get that through this Congress.

There are also costs involved with wolf introduction. Wolf restoration will be a multimillion dollar project, and it comes at a time as reports that park campgrounds remain closed and park entrances go unmanned several hours a day due to low operating budgets.

How many more seasonal employees will be eliminated in order to provide adequate staff to monitor the wolf? Will campgrounds and trails be closed? Will the wolf begin to take presence over those millions of people who travel to Yellowstone to enjoy the scenic wonder of that area?

I will close by saying that wolf recolonization has already taken place, so restoration measures are not necessary. As long as the wolf is here, however, we must be given the opportunity to manage it just as we manage any other of our wildlife species. I believe this management can best be accomplished by the State of Montana or any State in which wildlife exists.

Thank you, Mr. Chairman. I am looking forward to hearing from the witnesses, and I would ask that my complete statement be admitted in the record, please.

[The prepared statement of Senator Burns and the letter referred to follow:]

PREPARED STATEMENT OF HON. CONRAD BURNS, U.S. SENATOR FROM MONTANA

Mr. Chairman, thank you for this opportunity today to address the issue of wolf restoration in the Northern Rockies. This issue is of great interest to the people of my State and, I'm sure, to those of Idaho and Wyoming as well. Like most proposals for management on the Federal estate this one will enjoy some level of support, particularly from urban dwellers, while having very serious implications for residents of the surrounding areas.

Because of the implications wolf restoration has on surrounding communities, it is very important that those who will be most directly impacted be given an opportunity to be heard from. Unfortunately this hearing today does not provide that opportunity. In order to fully provide that opportunity, I believe field hearings must be held in all three States that are affected by the effort to restore the wolf to the Northern Rockies. I wish to publicly request, for the record, that this committee schedule official field hearings in Montana, Idaho and Wyoming before we proceed further with this proposal.

There are some who oppose any wolf restoration plan, simply because they don't want to admit that we have wolves in the Northern Rockies. There are plenty of wolves just across the border in Canada. Frankly, that kind of head in the sand attitude is counter productive. I don't know about Wyoming or Idaho, but I do know that Montana has wolves. Wolves are coming in from Canada and are spreading throughout Western Montana. My concern is not with wolf restoration but with wolf management. We are already experiencing livestock loss to wolves and a few weeks ago a family in Western Montana returned home from an outing to find a wolf had killed their dog. The wolf was still hovering over the dead family pet in their own backyard. This happened during a time of year when food supply for the wolf was plentiful.

As I said, my concern is with the management of the Wolf. Before we take any action to introduce or augment any wolf populations I believe we need to give the States the authority to manage the wolves we already have.

The American Farm Bureau has petitioned to have the wolf delisted since there is some question as to whether we are dealing with true wolves or a wolf/coyote/dog hybrid. I don't know all the specifics about this and I hope to learn more about it today, but I do believe it would be jumping the gun a bit to introduce wolves before we know the answers to these questions.

As I understand it, any wolves introduced into Yellowstone or Central Idaho would probably be brought in from Canada or Alaska. I find it particularly interesting that the National Park Service would promote and support introduction of these exotic wolves at the same time they are discussing "eliminating" exotic mountain goats that wander in from immediately outside the Park.

In Montana we have been struggling, for the past several years, to deal with large numbers of bison leaving the Park. As I'm sure you are all aware this has created a great deal of controversy. The State has worked diligently to solve the problem, and in doing so have tried to work with the Park Service to find an acceptable solution. It seems though, that the State of Montana is having a problem getting the Park Service to show the same degree of cooperation. Frankly, we are getting tired of it. Buffalo pose a very real threat to livestock as carriers of Brucellosis. I have a bill pending in this Committee to compensate for some of the Brucellosis related expenses incurred because of the Buffalo. Now it seems incredulous to me that anyone could suggest bringing wolves back into the Park when the Park Service has yet to show a willingness to manage the wildlife it currently has.

Then there are the costs involved with wolf introduction. Wolf restoration will be a multi-million dollar project. This comes at the same time as reports that Park campgrounds remain closed and Park entrances go unmanned several hours each day due to low operating budgets. How many more seasonal employees will be eliminated in order to provide adequate staff to monitor the wolf? Will campgrounds and trails be closed? Will the wolf begin to take precedence over those millions of people who travel to Yellowstone to enjoy the scenic wonder of the area?

I will close by saying that wolf recolonization is already taking place so restoration measures are not necessary. However as long as the wolf is here we must be given the opportunity to manage it just as we manage all other wildlife species. I believe this management can best be accomplished by the State in which the wildlife exist.

Thank you.

WYOMING FARM BUREAU FEDERATION,
Laramie, WY, August 6, 1990.

Hon. CONRAD BURNS,
Hart Senate Office Building, Washington, DC.

DEAR CONGRESSMAN BURNS: Enclosed is a petition, dated July 11, 1990, to the Secretary of Interior requesting that the gray Wolf (*Canis lupus*) be removed from the lists of Endangered and Threatened Species. The petition relates to scientific reports which indicate interbreeding is occurring between wolves, coyotes and dogs which results in dilution of pure wolf gene pools. The most recent report, attributable to the U.S. Fish and Wildlife Service, indicates DNA (deoxyribonucleic acid) analysis on 72 Minnesota wolves revealed over half might contain coyote DNA. One of the earlier reports reveals noted wolf scientist and researcher L. David Mech felt red wolves were merely fertile hybrids resulting from interbreeding between gray wolves and coyotes. Dr. Mech is currently employed by the U.S. Fish and Wildlife Service. We believe this scientific evidence will soon become generally accepted knowledge. This naturally occurring dilution phenomena means the species cannot properly be classified as endangered or threatened. Therefore the petition to delist is based upon biologically sound conclusions. We maintain this dilution poses problems in locating pure wolf stock and a nearly impossible situation as relates to maintaining a pure population.

Your Congressional Committee assignment results in your being involved in legislation which relates to this subject. We felt you should be advised of our petition and our findings. We suspect interbreeding between species or subspecies, other than these three canine species, is occurring. Science would be best served by proper identification of pure and diluted species by means of DNA analysis. Please advise if we can provide more information. Thank you for your consideration.

Sincerely,

LARRY J. BOURRET,
Executive Vice President.

[Enclosure.]

July 11, 1990.

PETITION TO THE SECRETARY OF THE INTERIOR

Pursuant to section 4(b) of the Endangered Species Act (Public Law 97-304) and section 553(e) of title 5, United States Code to remove a species from the endangered and threatened lists published under section 4(c) of the Endangered Species Act.

REASONS FOR PETITION

Recent (April, 1990) U.S. Fish and Wildlife Service evidence indicates the species gray Wolf (*Canis lupus*) may not be genetically pure because of hybridization with coyotes. A literature review indicates that scientists have suspected hybridization between wolves and coyotes for some time. The literature reveals hybridization between dogs and wolves and dogs and coyotes has been a long standing issue. There are thousands of feral and domesticated dogs in the United States. Additionally there are thousands of coyotes in the same area with that species now evident in most, if not all, of the lower 48 States and the southern portions of the Canadian provinces. We do not know, nor does anyone else know, which of these species is hybridized and which are pure species. The issue of hybridization was not considered in the previous listing decisions on the gray Wolf (*Canis lupus*). Clearly there are scientific questions which need to be resolved. We believe the gray Wolf (*Canis lupus*) should be removed from the "Endangered" and "Threatened" lists because of the questions hybridization creates with an animal which cannot be protected under the aegis of the Endangered Species Act.

This petition is based on scientific information as follows:

LISTING

The listing of the gray Wolf has been the subject of the following notices:

- 32 FR 4001; March 11, 1967
- 38 FR 14678; June 4, 1973
- 41 FR 17740; April 28, 1976
- 41 FR 24064; June 14, 1976
- 43 FR 9612; March 9, 1978.

The latest notice listed the gray Wolf (*Canis lupus*) as "Threatened" in Minnesota and as "Endangered" in the 48 conterminous States (except Minnesota).

HYBRIDIZATION

Ernst Mayr in his book "Populations, Species and Evolution" (1970) wrote, "The term introgression designates the incorporation of genes of one species into the gene complex of another species as a result of successful hybridization. This is not to be confused with flow, which designates the normal gene exchange among populations that belong to the same species." He also said, "The individuals that occur beyond the solid range of their species often have difficulty in finding a conspecific mate. In the absence of appropriate stimuli, that is, to stimuli emanating from individuals of a different species. Many of the known hybrids of animal species are found at the margin of the normal geographic range of one of the two parental species or even beyond it. Such hybrids have been reported for birds, fishes, and many other animals. This rule holds not only for geographic distribution in the narrow sense of the word but also for attitudinal and habitat distribution. It is not different in principal from situations in which a species hybridizes in captivity in the absence of conspecific mates."

Mayr also wrote, "Animals have mobility and can actively search both for a suitable mate and for a suitable habitat. These abilities allow much greater specificity and specialization than is normally found among plants. Speciation is made easy and occurs with great profusion: there exists perhaps five times as many species of animals as of plants. An increase in variability, such as is produced by hybridization, normally results in a lowered efficiency in the species-specific niche, especially if it is a narrow one. Selection will discriminate against genotypes with a propensity for hybridization."

The Teton Science School wrote about wolf social structure in its Spring, 1986 "Biologue". They wrote, "A wolf pack is a family unit consisting of a breeding pair and their offspring (pups and juveniles). Fighting seldom takes place within the wolf pack. Allegiances are motivated more by harmony, and integration with pack members than by aggression and conflict. A functional hierarchy, consisting of dominants and subordinates, maintains order within the pack. The dominance hierarchy exists for each of the sexes (excluding pups), the female hierarchy being more linear

and aggressive. There is a sizable gap between the alpha (highest ranking) and lower ranks of each sex, particularly during breeding season. This discourages and blocks subordinate mating and provides a valuable strategy to avoid too many pups in the pack." In discussing breeding the Teton Science School wrote, "By the next breeding season some of the young will leave the pack ('dispersers'), while others will remain ('bidders')."

Sandra Chisholm Robinson wrote in "The Wonder of Wolves", "The alpha animal is sometimes challenged by another pack member. The challenger may defeat the alpha animal and become the leader himself. Or he may leave the pack and become a LONER, seeking another wolf with whom he may start his own pack." We would contend Robinson should have said either the alpha male or female may be excluded from the pack and seek a mate, as might other wolves within the pack.

The National Wildlife Federation said in "Wolves of the Northern Rockies", "Wolves usually live in packs that consist of one breeding pair, their pups of the year, and the pups' older brothers and sisters. Therefore, 10 breeding pairs refers to 10 packs, or an estimated 50 to 150 wolves." This then would indicate 10 breeding pairs (20 wolves) could be in an area also inhabited by 30 to 130 potential "dispersers".

Todd K. Fuller wrote in "Population Dynamics of Wolves in North-Central Minnesota", "Each month, up to 30 percent of wolves of any one age class in the BSA (Bearville Study Area) left their territories (i.e., moved) (greater than or equal to) 5 km away; some wolves returned (temporary excursions), but other wolves never returned and died or settled elsewhere (dispersals)."

It is clear that a pack of wolves is more than two wolves; that strife may cause one of the alpha wolves to disperse; that strife may cause non-alpha wolves to disperse; and information to be provided later in this petition will show that hybridization with coyotes and dogs most likely occurs and that such may be associated with dispersal. Mayr has indicated dispersers on the fringes are likely to hybridize.

HISTORICAL DATA

Review of literature on wolves, coyotes, dogs and hybridization indicates scientists have been questioning the genetic purity of the wolf in recent years. Biologists have previously recognized crosses between members of the family Canidae.

H.T. Gier, in a paper on "Ecology and Behavior of the Coyote (*Canis latrans*)" which appeared in M.W. Fox's book "The Wild Canids" said "Indians of the Great Plains had 'dogs' that served as beasts of burden or as food for special feasts when the Spaniards visited the area in the 17th century. Some 'Indian dogs' appeared to be only partially domesticated coyotes, somewhat modified by selection. Whether or not Indians moved or bartered their coyote-type 'dogs' beyond the range of coyotes is not known. He also said the range of the coyote was quite clearly established as extending from the Mississippi River, west into the Sierra Nevada Mountains, north into Alberta, and south to southern Mexico. He felt they were in California and Mexico but not the Gulf States. The book "The Quadrupeds of North America" by John J. Audubon and John Bachman says this about the subject, "We saw hybrids, the offspring of the wolf and the cur dog, and also their mixed broods; some of which resemble the wolf, and others the dog. Many of the Assiniboin Indians who visited Fort Union during our stay there, had both wolves and their crosses with the common dog in their trains, and their dog carts (if they may be so called) were drawn alike by both."

THE RED CANID

The red wolf which inhabited parts of the southeastern U.S. is thought, by some researchers, to be extinct because of interbreeding with coyotes. Ronald Carl Freeman wrote in his thesis "Coyote X Dog Hybridization and Red Wolf Influence in the Wild Canis of Oklahoma" (1976), that "McCarley (1962) was the first to hypothesize massive hybridization between the coyote and red wolf based on a study of skull morphology of animals taken in eastern Texas and southeastern Oklahoma. McCarley concluded that the red wolf was extinct over most of its former range and had been replaced in eastern Oklahoma and Texas by a hybrid population. These conclusions were affirmed in a later study by Paradiso (1968)." He said Mech (1970) "... hypothesized that the red wolf, which formerly ranged from eastern Texas and Oklahoma to the south Atlantic coast, is no more than a population of coyote x gray wolf hybrids."

Mech in his book "The Wolf" (1970) discussed the red wolf and said "... it seems reasonable to suggest that when enough evidence is gathered the red wolf will be

found to be properly known as *Canis lupus* X *Canis latrans*. In other words, the red wolf may be a fertile wolf-coyote cross. . . ."

NORTHEASTERN CANIDS

Freeman also said, "A similar situation exists in the New England States where coyote-like canids first appeared in the 1930's. Since then an increasing number of hard-to-identify canids have been taken (Richens and Hugie 1974, Silver and Silver 1969). Using multivariant analysis on a series of skull measurements, Lawrence and Bossert (1969) concluded that the canids of New England are predominantly coyote with some dog and wolf ancestry."

Robert E. Henshaw in his paper, "Can the Wolf Be Returned to New York?" which was printed in the book "Wolves Of The World" (1982) wrote, "Physically the New England coyote is larger than its western relatives. Its mean body weight is 20 kg as compared to 14 kg for the western coyote (Severinghaus, 1974). As a result, it has been variously called wolf, wolf-dog hybrid, wolf-coyote hybrid and coyote-dog hybrid. Studies of hand-reared and inbred New England coyotes outbred with wolves and dogs provided inferential evidence of wolf ancestry, or at least little evidence for dog ancestry (Silver and Silver, 1969)."

MINNESOTA-CANADA CANIDS

What have the researchers said about the wolves in the Minnesota-Canada area? Ronald M. Nowak in his book "North American Quaternary Canis" (1979), said a male coyote had mated with a female wolf and produced fertile offspring, which produced further offspring which were "similar in appearance to many specimens of a small kind of wolf." Kolenosky and Standfield (1975) said in "Morphological and Ecological Variation Among Gray Wolves (*Canis lupus*) of Ontario, Canada", "The origin of the Tweed type, a relatively small coyote-like wolf, is still obscure, but evidence is mounting that it originated from hybridization between *C. latrans* and *C. lupus lycaon* of the type described by Goldman (1944)."

R. Standfield, presented a paper at a U.S. Bureau of Sports Fisheries and Wildlife Symposium on Wolf Management in Selected Areas of North America in 1970. He said, "We now believe that in southern and western Ontario we have the following species, races and types:

1. *C. l. lycaon* (Ontario type) in the west, south to the Minnesota border.
2. *C. l. lycaon* (Algonquin type) along the north shore of Lake Huron and north of the agricultural areas bordering Lake Ontario.
3. Infrequent hybrids of these two types of *C. l. lycaon* with *C. familiaris* throughout their ranges.
4. An intermediate type, probably a hybrid between *C. lupus* (Algonquin type) and *C. latrans* in at least the two areas shown in Fig. 1.
5. *C. latrans*.
6. *C. latrans* x *C. familiaris* hybrids.

The possibility of other types cannot be discounted." He went on to say, "I have reported this taxonomic mess to show what is happening without direct human intervention. It suggests to me that we should not intentionally complicate the situation further. I would recommend that the integrity of remnant populations of *lupus* in the Great Lakes region and elsewhere be maintained through the preservation of habitat and protective legislation. If possible, larger tracts of forest should be set aside to aid possible increases in numbers. The gene pools which these animals represent should not be diluted by the introduction of Canids from other areas. Standfield began his presentation with this comment, "One of the possible tools of wolf management that has been discussed informally at various times is the restocking of wolves into areas where they have been exterminated."

WESTERN CANIDS

Information reported in the "Roosevelt Wild Life Bulletin" of June, 1927 indicated there were an estimated 20 "Grey" wolves in Yellowstone National Park. The Northern Rocky Mountain Wolf Recovery Plan says, "... wolf control within Yellowstone National Park ceased (1926) . . ." but Adolph Murie wrote in "Ecology of the Coyote In The Yellowstone" (1940) that the last official record of wolves being destroyed in Yellowstone National Park was in 1923. Weaver, in "The Wolves of Yellowstone" (1978) wrote, "Yellowstone records do not indicate that any resident wolf pack persisted after the mid-1930s." This data indicates wolf control was terminated in Yellowstone National Park some years before wolves disappeared. Weaver also indicated in "The Wolves of Yellowstone", that wolf hybridization with coyotes

may have occurred. He said some of the recorded track measurements are between typical coyote and wolf in size. He indicates many Yellowstone wolf reports describe animals phenotypically similar to first generation canids observed by Kolenosky, which were offspring of an Ontario wolf female and a male coyote.

RECENT BIOCHEMICAL RESEARCH

A.B. Chiarelli, in "The Chromosomes of the Canidae" which appeared in M.W. Fox's book "The Wild Canids" (1975) said, "Unfortunately, microscopic inspection performed up to now on the somatic chromosomes of the different species of *Canis* has revealed no differences in morphology, and similar results are known for the different races of the dog." In that same book U.S. Seal's paper on "Molecular Approaches to Taxonomic Problems in the Canidae" reported, "Direct comparisons within the Canidae have been made by microcomplement fixation using rabbit antisera to *Canis familiaris* and *Vulpes vulpes* serum albumins. . . . The results indicate that the spread of values within the family is not great, discrimination among members of the genus *Canis* is not significant, and that studies with antisera to albumin from each of the genera will be necessary to allow cluster analysis for construction of a significant dendrogram for the genera of this family. Comparisons of the genera of Canidae can be accomplished with a number of proteins illustrating transferrins, serum proteins, and esterases on polyacrylamide gel electrophoresis. However, differences between species of *Canis* are not readily evident. . . . We have done similar studies on red cell hemolysates and soluble protein extracts of heart, kidney, liver, and skeletal muscle and have found no reliable difference between *Canis familiaris*, *Canis lupus*, *Canis latrans*, and *Canis rufus*."

John B. Theberge in "Considerations in Wolf Management Related to Genetic Variability and Adaptive Change" reported in the Proceedings of the Wolf Symposium, Alberta, May 12-14, 1981, "Contemporary hybridization resulting in viable offspring has been described among many *Canis* species. No doubt facilitated by a common diploid chromosome number. This explanation is, of course, speculative."

CANID DNA

The U.S. Fish and Wildlife Service recently reported in its "Endangered Species Technical Bulletin" of April, 1990, "Biochemical analyses of tissues from 72 Minnesota gray wolves (*Canis lupus*) indicated that more than 50 percent may contain mitochondrial DNA from coyotes (*Canis latrans*). If this is true, these hybrids can only be the result of male gray wolves mating with female coyotes. This has serious implications for the conservation of pure gray wolves in Minnesota." We contend those implications extend to the entire Endangered Species Act; species and subspecies listings under that Act; the purity of species or subspecies listed; and of attempting to protect wolves which may be biologically impossible to protect. Additionally this information calls into question any proposal to translocate wolves or to protect those which may be migrating because of the serious question about the genetic purity of such wolves.

The DNA analysis techniques now available will allow Chiarelli, Seal, Kolenosky, Theberge, Standfield and other scientists to advance their research capabilities and provide the answers they sought using old technology. It is evident their previous research indicated hybridization was occurring.

BIOLOGICAL IMPLICATIONS

What does this all mean? It means that coyotes and wolves interbreed, as do dogs and wolves, as well as dogs and coyotes. The evidence strongly suggests the offspring of those crosses can interbreed, with dogs or coyotes or wolves or hybrids of various mixtures. The results of such interbreeding will always produce a hybrid. Mayr indicated many hybrids are sterile, but research by Kolenosky and Standfield, as reported by Nowak, indicates wolf x coyote crosses do not fall within that category of hybrids. We have chosen what we consider to be an appropriate scientific name for the cross between a coyote and a wolf. That name is "*Canis irregularis*." The common name we have selected is "woyote."

It is likely that coyote-wolf hybrids exist where both coyotes and wolves occur. We point out that Nowak's report of hybridization involved a male coyote and a female wolf which is exactly the opposite of what the Fish and Wildlife Service said was the possibility in their April, 1990 Endangered Species Technical Bulletin. If over 50 percent of the Minnesota wolf population contains coyote DNA is it a wolf population or is it more a population of coyotes?

What are we then trying to protect under the Endangered Species Act? The Federal Government lists both the red and gray wolf under that Act. We contend the Federal Government, given the strong possibility large numbers of coyote-wolf hybrids exist, is practicing questionable science by continuing to list the gray wolf as "Threatened" or "Endangered".

If Mech was correct about red wolves being a fertile wolf-coyote cross the DNA information indicates the hybrid "red wolf" is not extinct but also inhabits the Minnesota area where the Federal Government thought they had only a pure strain of Eastern Timber wolves. Additionally, if Mech is correct one must question why the red wolf is listed as an "endangered species." If the red wolf was actually a separate species swamped by coyote interbreeding do any of the alleged red wolves recently translocated to North Carolina not contain coyote DNA?

It seems quite evident that hybridization between wolves, coyotes and dogs has been suspected for 20 years or more. Standfield apparently was concerned about what man was proposing to do as relates to introduction of wolves. Standfield did not possess the latest information on DNA analysis of wolves in Minnesota when he made these comments but the DNA information indicates the purity of wolves in that area is highly suspect.

The gray wolf may, regardless of the action or lack of action by man, eventually be bred out of existence. It would be difficult to find pure wolf stock and impossible to maintain it in areas where coyotes or dogs are also present. What type of behavior can we expect from a coyote-wolf hybrid? Dog-wolf hybrids have attacked and killed humans. What about coyote-dog-wolf hybrids? What behavioral traits would these hybrids exhibit? Some people say coydogs (coyote-dog hybrids) are more troublesome than coyotes.

Did interbreeding between coyotes and wolves cause the demise of wolves in Yellowstone National Park? Weaver, Murie and information from the Roosevelt Wild Life Bulletin present conflicting data about when wolves were removed from Yellowstone National Park. There is a strong possibility hybridization was the reason wolves became extinct in Yellowstone National Park.

How do the Yellowstone National Park officials intend to deal with the problems of abandoned, free-roving and feral dogs interbreeding with the wolf if the latter is introduced into that Park? It is quite possible that "nature" itself has rendered the Endangered Species Act inoperative as far as protecting the gray Wolf (*Canis lupus*) is concerned. We contend the Federal Government cannot tell the public whether it is a wolf, a coyote, a "woyote" or a wolf-dog hybrid? Modern science has provided us with DNA analysis which is being used in courts of law to determine the human parent of children. How does the Federal Government propose to halt hybridization by coyotes with the wolf if the latter is introduced into that Park? Exactly what type of animal do we think we are protecting under the Endangered Species Act when we say we have listed the "gray Wolf" as "Endangered" or "Threatened"?

VIOLETION OF ENDANGERED SPECIES ACT

Proposed introduction of "wolves" into Yellowstone National Park is a violation of the Endangered Species Act as it would cause further jeopardy to the species (if it can be called that). Coyotes are known to exist in that Park and in the adjacent areas. Given the history of the red wolf and the possibility that crossbreeding is occurring in the Minnesota area, as well as in other areas, the Federal Government cannot assure the public that crossbreeding will not occur in the Yellowstone area. If the wolves to be introduced were brought in from Canada where pure stock might be found they would merely be subjected to the strong possibility that the gene pool would be destroyed—thus currently nonendangered wolves would be detrimentally affected. The actions of the Federal Government are arbitrary, capricious and not in accordance with existing law.

INABILITY OF THE FEDERAL GOVERNMENT TO IDENTIFY PURE CANIDS

Coyotes are abundant throughout the conterminous States. When it listed the gray Wolf as "Threatened" or "Endangered" the Federal Government did not consider facts which were then, or are now, available relative to hybridization of coyotes and wolves. The actions of the Federal Government are arbitrary, capricious and not in accordance with existing law. It is apparent the Federal Government cannot readily identify gray Wolves given the latest information from Minnesota (April, 1990). That same Federal Government cannot identify coyotes, wild or feral dogs or wolves. The listing of the gray Wolf leaves the public with the problem of identification which the Federal Government is incapable of clarifying. Is there a pure gray Wolf? What is a gray Wolf? Can we separate dogs, coyotes, wolves and the

hybrids which apparently exist as a result of interbreeding between those different species, if they are different species? Can we be certain such separation is correct? If we cannot tell what a gray Wolf is how can it be protected? With knowledge that it hybridizes with coyotes and dogs how can it be protected as a separate species?

The Federal Government has attempted to classify species by phenotype and list them as "Endangered" or "Threatened" species. Genotype identification by means of DNA analysis indicates previous phenotype classification is badly flawed. Therefore listings based on phenotype are invalid, resulting in listings which are improper and illegal.

Is a gray Wolf really a coyote? A dog? Conversely is a gray Wolf really a coyote or a dog? Maybe all are of the same natural genetic material and in reality are the same species. If that is the case the species is abundant and certainly should not be listed as "Threatened" or "Endangered". It is incumbent upon the Federal Government to prove the gray Wolf is an independent species which is not going to naturally be hybridized out of existence by interbreeding with coyotes or dogs or hybrids of those three types. If the Federal Government cannot provide such proof the gray Wolf should be delisted because efforts to protect it will eventually prove to be futile.

We believe the facts contained herein indicate wolf and coyote crossbreeding does occur. We feel there is also evidence of interbreeding between those two types and domestic dogs. These facts therefore indicate any attempts to maintain pure stock of any of these types is highly questionable. It may even be detrimental to certain species and interests to attempt to do so. Science is advancing to a new level and the scientific community needs to adjust. Certain scientists have already seen that an interbreeding situation much as we have outlined probably exists. The DNA analysis reported in April, 1990 lends support to certain of those scientists previous research and findings.

ACTION REQUESTED

It is now time to move ahead and recognize that the Endangered Species Act was not intended to protect that which is not capable of being protected, especially when nature itself is at work. The Secretary should immediately begin a scientific review of this issue because the entire Endangered Species Act is in question. The information in this petition is sufficient in itself to warrant removal of the species *Canis lupus* (gray Wolf) from the list of "Endangered" and "Threatened" species. A review is needed to determine the advisability of continuing to use the Endangered Species Act to list species and subspecies which may be subject to interbreeding, or swamping such as has occurred with the red wolf.

We also request a review of the Northern Rocky Mountain Wolf Recovery Plan because it does not address this issue whatsoever. The Eastern Timber Wolf Recovery plan is also silent on the subject and therefore it should be reviewed. The Red Wolf Recovery Plan mentions hybridization but the advent of modern scientific information causes that plan (and the listing and purity of that species) to also be suspect, therefore it should also be subject to review.

We submit this petition for the removal of the gray Wolf (*Canis lupus*) from the "Endangered" and "Threatened" lists (published under section 4(c) pursuant to section 4(b) of the Endangered Species Act (Public Law 97-304) and section 553(e) of title 5, United States Code, based upon the scientific information contained within this petition.

Submitted this 11th day of July, 1990 by:

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DAVID MCCLURE,
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Senator BUMPERS. Without objection.

Our first witness is supposed to be Senator Simpson. He is obviously not here because he is very conspicuous wherever he is, and I do not see him.

Our next witness is Congressman Wayne Owens.

Is Congressman Owens in the audience?

[No response.]

Senator BUMPERS. Our next witness is Congressman Craig Thomas.

Is Congressman Thomas here?

Welcome to the committee, and we are pleased to have you.

STATEMENT OF HON. CRAIG THOMAS, U.S. REPRESENTATIVE FROM WYOMING

Mr. THOMAS. Thank you very much. I will certainly abide by your 3- to 5-minute limit. If I may file my statement for the record,

and then I would like to make six points. They are not necessarily connected, but I think they are points that are important to me.

First is that I have not been persuaded through a substantial discussion of this issue in the House and other places that the benefits of reintroduction outweigh the potential losses. That really stands out to me as the most important issue that is before us. It seems to me that the reintroduction has basically been designed to be symbolic to environmentalists, particularly those in Washington, and to be a grand experiment on the part of scientists in the agencies.

So the benefits really have never been laid out other than some kind of a vague mandate that it needs to be done.

Second, there are substantial costs, obviously, to the Federal Government. I think the guess is somewhere between \$300,000 to \$500,000 per year is projected, and almost inevitably they will be higher than that.

Third, there will be costs, of course, to the State government. The costs probably will include paying for damages which we do in our State, damages that are brought about by wildlife, as well as the management that is involved which I think will be substantial.

Fourth, we talk about experimental introduction, and I really have some misgivings about that. It is my hunch that once there is a reintroduction program put into place in Yellowstone Park or any other place, it would not be experimental. It would be there forevermore, and it would be there regardless of what it costs. I am fairly confident of that.

Fifth, I am very concerned about the cost to the States' economy not only through the loss of domestic stock, but we, of course, have a very intensive and extensive hunting economy in Wyoming. Many of those elk particularly migrate back and forth outside of Yellowstone and compose a substantial part of the Shoshone herd where I grew up and also, of course, in the south in the Jackson Hole area.

Finally, it seems to me that we have several choices, of course. One is to do nothing legislatively; do not introduce. We have, Senator McClure, your very thoughtful effort to try to do something with the endangered species because of the inevitability of them showing up. Then, of course, the third step is to overtly reintroduce them as has been suggested over in the House.

It seems to me that is all based on a pretty unknown and uncertain projection that they may indeed show up. It may be years before they do, and if they do no one knows at what level they will be there.

In terms of priorities, it seems to me, being pretty familiar with Yellowstone, having been there several times, growing up right outside of it, there are a number of priorities that are higher than spending our time, energy and money on the reintroduction of wolves. Senator Burns mentioned some of them: campgrounds, roads, winter facilities so that we can use it year-round.

So let me end by saying again that throughout all the discussion it seems to me that there has been a real shortage of discussion about the benefits. How will we benefit from the reintroduction of wolves? I am not certain that that has ever been made clear. Certainly in my mind, those benefits potentially do not outweigh the potential losses.

I appreciate very much your time. I am glad that you are holding the hearing and look forward to listening to the other witnesses. I would be glad to answer questions.

[The prepared statement of Mr. Thomas follows:]

PREPARED STATEMENT OF HON. CRAIG THOMAS, U.S. REPRESENTATIVE FROM WYOMING

Mr. Chairman, thank you for the opportunity to address this very sensitive subject of wolf introduction into Yellowstone National Park. As you know, any activity affecting Yellowstone Park has significant impact on the State of Wyoming.

I have been and continue to be strongly opposed to wolf introduction for a number of reasons. The wolves, if introduced, would affect the wildlife that is already in the Park, particularly the elk herd and other undulants. It must be remembered that Yellowstone Park is not a wilderness area. It is one of the tourist attractions in the country, visited by hundreds of thousands of people every year.

The endangered species issue is one of principle controversy, here. I understand that S. 2674, Senator McClure's bill, declares the wolf delisted outside the core zones in Idaho, Montana and Wyoming. Delisted may be good in theory, however, it still will not stop the effect the wolves will have on wildlife and the State of Wyoming.

Ranchers concerns are valid and must be addressed. Lawfully shooting the wolves or even being paid for losses does not begin to make up for the inconvenience and frustration the wolves could potentially cause. Furthermore, the losses are difficult to prove and a bureaucratic burden already in other predator deprivation cases.

There are documented cases of predators attacking humans in Yellowstone Park. The most recent problem dealt with grizzlies. There is always the possibility that attacks will occur. What is the benefit— aesthetics? A high price to pay in terms of actual costs and human aggravation. Yellowstone Park is not a wildlife refuge, it is not a control laboratory. It would be most difficult to manage a park for hundreds of thousands of visitors and at the same time manage the area as if it is a wilderness area.

I am convinced that there is not new evidence to support introducing the wolf. Time and time again this issue is brought up by people who don't live in or anywhere near Wyoming. Now I understand the fine gentleman from Idaho attempts to strike a compromise but it simply will not work. As a matter of fact, after reviewing the recently released report to Congress concerning wolves in Yellowstone, I've become even more cautious concerning the potential affects on wildlife in the area.

Wildlife, though a concern, is not the only consideration when making a decision of this magnitude. The elk herds migrate outside of the Park and provide recreational hunting and a boost to the economy in the surrounding areas. The economy of Wyoming could suffer from harm done to the guiding and hunting industries in the Yellowstone area. There is more to be done in the Park, following the fires, than spending our money on introduction of a controversial additional species.

I continue to oppose the introduction of wolves into Yellowstone.

Thank you Mr. Chairman.

Senator BUMPERS. Thank you very much, Congressman.

Does anybody have a question of the Congressman before he leaves?

[No response.]

Senator BUMPERS. Congressman, you may be excused if you like, and we will hear from the Senate guru on this subject.

Mr. THOMAS. Thank you very much, Mr. Chairman.

Senator BUMPERS. Thank you for coming over to be with us.

Mr. THOMAS. You are more than welcome.

Senator BUMPERS. Senator Simpson.

STATEMENT OF HON. ALAN K. SIMPSON, U.S. SENATOR FROM WYOMING

Senator SIMPSON. Mr. Chairman, I thank you for your courtesy. I am sorry to be late, but we have been suturing down there. It has been a terrible experience. I know you would like it, though, knowing your propensities, and Senator McClure and Senator Wallop.

Senator BUMPERS. Would you like to elaborate on that statement?

Senator SIMPSON. No.

[Laughter.]

Senator SIMPSON. I have a rather complete statement. Let me just place that in the record, Mr. Chairman, if I may.

Senator BUMPERS. Without objection.

Senator SIMPSON. I will just share in a very few minutes the concerns I have about the McClure bill, my friend from Idaho. I do think that that has some serious defects. I just think we need more adequate information. I am not trying to do that for a stall. I do not think of it as that. This is more than a predator versus livestock issue. I think it will really cause serious harm to wildlife species in Wyoming and Montana.

People come to our State to see the elk, the deer and the moose, and we know only one thing, regardless of what side you are on: These wolves eat ungulates. They not only eat them, they crack it right down to the bone marrow, and that is the way they live. I am not being prejudiced against the animal. I think we just have to be certain that they do not produce some very serious side effects on the game population, especially the prey population of moose and mountain sheep. We already have a mountain sheep population that is "stressed." I have a hunch that this would stress them a little more.

Things have changed since the turn of the century, and grizzly bears and human hunters have become the main predators in the ecosystem. We have these problems, and I still have the basic reasons for opposition. I think that we should complete the prey species studies on population. I think that has to be done. They are very vulnerable, especially in winter. We need to ensure that the reintroduction will not result in permanent reductions in the game herds.

The studies in Canada and Alaska show us that moose are the most susceptible. One study in Alaska revealed a decrease in moose calf numbers from 44 to 14 per 100 cows in a 6-month period. Wildlife people say that that predation by wolves was the most probable cause. I would like to more fully understand. I have seen the reports. I know that, and I asked them to include moose, and they did not. They said they would do that later at some other time or get with us in the future.

The other issue is conclusions there was no real consensus about the impact of wolf reintroduction on grizzly bears. Of course, a man from Cody, a dear friend of mine in the chamber of commerce and the various service clubs with me was severely mauled just 3 days ago by a grizzly in that area, and it was not one of the ones they collared so they did not know what to do because it was not old number 47 or something. Anyway, old Ed Higby is in intensive care right now, and that is the way that is.

You are never going to get these things done in an area of the world where it was set aside in 1872 as a pleasuring ground for the enjoyment of the American public. That is what the Organic Act of 1872 says. You have 2.5 million people per year running around in that park, and you are trying to do things as if it were 100 years ago. It cannot work; it does not make sense. No one is going to see

the human animal driven from the park. So those are two of the things.

Another one, very swiftly, is that there was a ludicrous statement in the report saying that the impact on elk and deer and game populations is that these populations will not be made extinct by the reintroduction of the wolf. What a statement. No one ever claimed that the presence of the wolf would result in extinction of ungulates, but surely everyone has said the reduction in the population levels is very real. So to put extinction in there is an extraordinary statement.

Finally, Mr. Chairman, we have the Wyoming Game and Fish Commission and Department saying they have very serious concerns. They had been rather silent for a while. They note that the most recent report fails to address many of their concerns and leaves many things wide open. The Game and Fish Department press release on the subject said, "Anyone reading this report who is in the business of wildlife management next to the national park should not feel too comfortable about the whole idea of wolf reintroduction. They know that the hunting population will be decreased."

Hunting is a big business in Wyoming. Then from hunting we have outfitters. We have people who have tack, and they go out in the countryside with strings of horses. These people are very concerned. We do correct our balance in game herds in Wyoming with a very effective and efficient Game and Fish Department.

Then, of course, no one wants to talk about a peculiar thing that wolves and dogs do, also, which is called surplus killing. It happens in Park County, Wyoming, with dogs in regard to sheep. That is right near the park. They go on a killing binge with prey species when they are concentrated in a small area. That is what they do. That is the way they live.

In one recent Canadian example, a biologist found that wolves had killed 84 caribou calves within minutes of each other and had eaten 2. That surplus killing during the calving season could decimate a population.

Then, of course, the natural hands-off management policy I think is a recipe for disaster. We must have assurances that if wolves are placed in Yellowstone and if they reduce the ungulate population to the point that hunting opportunities and wildlife and scenic observation opportunities are restricted, then wolf numbers will be reduced. They have to be in a provision where they can be taken if they leave the park and not just by the pros but by people.

So I do not want to see us use the Endangered Species Act to justify unpopular policies in the name of that act. Some say we should simply call the wolf an experimental population. I am very skeptical that that classification will result in any type of management flexibility when you are dealing with that large a predator. As long as the wolf is listed, I do not believe the Federal and State land managers will be able to ever manage wolves properly. That is a very serious concern.

Jir's bill calls for reintroduction in the core area, and they are going to give protection under the Endangered Species Act. It calls for delisting, and I applaud that. We can have adequate protection

and recovery without invoking the overly restrictive requirements of the Endangered Species Act out of a core zone.

These are the things that cause me concern. Of course, when you challenge this you take a lot of flack as if you were thinking of wolves chasing someone across the ice floes with their babushka around their neck about to eat their child. I have been through that one, and that is not from where I am coming.

There are numerous examples of what we are talking about. People think of it as a giant biological experiment, and that is another reason I have serious reservations. I do not think we can afford to conduct an experiment with valuable wildlife resources in Wyoming because they mean too much to us and too much to the Nation as a whole.

I believe that the McClure bill is a starting point. We are sure ready to do that, and it could one day lead to wolf reintroduction in a manner which will not decimate wildlife and restrict public access to public lands. There is the real issue. We have seen them phony that up before. We have a rule now that there will be no kayaking allowed in a certain area because of two animals that are not in the park. They are waiting for them to come, I guess, but meanwhile there will be no kayaking in that area. Those are the kinds of things you go through when you live 50 miles from Yellowstone Park.

They are closing the south arm of the lake because the rowboats will cause erosion on the shores, and in 20 minutes a mountain storm can come up and peel away 10 feet of it. That is the kind of gibberish we have been going through for years living right next to Yellowstone Park.

So one unknown day I think it will come to pass where it might be well to do that, but until that time I think prudence and good commonsense should dictate we seriously and more thoroughly examine the wolf reintroduction issue to identify the most likely pitfalls to a tremendously remarkable resource—that is, our wildlife.

I thank you for allowing me to share some thoughts. I apologize for going overly long.

[The prepared statement of Senator Simpson follows:]

PREPARED STATEMENT OF HON. ALAN K. SIMPSON, U.S. SENATOR FROM WYOMING

I am pleased to be here today in order to provide testimony regarding Senator McClure's bill and wolf reintroduction issues in general. I do have serious concerns about the McClure bill, other legislation and proposals that would force the reintroduction of wolves in the west before we have more information about how wolves will affect wildlife in the Yellowstone area.

I do not believe that wolf reintroduction is just a predator versus livestock issue. Placing wolves in the Yellowstone area at this time could cause serious harm to wildlife species in Wyoming and Montana. Congress needs to ensure that wolves will not produce deleterious effects on the ecosystem before they are placed inside Yellowstone park.

The wildlife dynamics in and around Yellowstone Park have changed dramatically since the turn of the century. Grizzly bears and human hunters have become the main predators in that ecosystem. In addition, some wildlife species are "stressed" by disease or other factors and other wildlife species may be very vulnerable to wolf predation, especially during severe winter conditions.

There are four main reasons why I remain opposed to wolf reintroduction and why I am hesitant to support the McClure bill or other such legislation at this time. Let me review these very valid reasons.

I have always said that population studies of wildlife populations that are prey species should be completed prior to carrying out any reintroduction efforts. Specifically, moose and big horn sheep populations may be vulnerable to wolf predation and elk herds may be seriously diminished. Moose populations while stable—are very vulnerable to wolf predation during the winter time. We need to ensure that reintroduction of wolves in Yellowstone Park will not result in permanent reductions in big game numbers.

Studies in Canada and Alaska have shown that moose can be quite susceptible to the very efficient predation of wolves. One Alaskan study revealed a decrease in moose calf numbers from 4 to 14 per 100 cows in a six-month period during one year. Wildlife managers have concluded that predation by wolves was the most probable cause of these losses. I cannot help but wonder how we can afford to go ahead with wolf reintroduction in Wyoming and other areas until we fully understand how wolves will reduce populations of elk, moose, big horn sheep and other wildlife populations.

Congress mandated a study in 1988 regarding reintroduction of wolves in Yellowstone Park and possible impacts on wildlife. The conclusions of this study were recently made available to Congress. One of the studies' conclusions was that "there was no real consensus about the impact of wolf reintroduction on grizzly bears." As you know grizzly bears remain a threatened species in the Yellowstone ecosystem. In fact, the study proposed that further investigation be given to this question—"how will wolves and grizzly bears affect each other in the firehole river area, where bison as carrion are seen as critical to grizzly bear welfare?"

In the Yellowstone area, we already have one endangered predator and we must be certain that the reintroduction of yet another predatory animal does not interfere with the ongoing grizzly bear recovery effort.

Another very legitimate concern relates to the impact wolves will have on big game populations. The report states that ungulates—elk and deer—will not be made extinct by the reintroduction of the wolf. What a ludicrous statement! No one has ever claimed that the presence of the wolf would result in extinction of ungulates. However, very legitimate concerns have been raised about the reduction of population levels of these important animals.

A much more significant conclusion of the report is that big game populations may be reduced by 10 percent or even more! Elk, mule deer and moose could suffer the greatest losses. Not only could this diminish hunting opportunities around Yellowstone National Park, but it will also have an economic impact on outfitters and local communities involved in hunting and tourism. Nowhere in the report is there any mention of how much income will be lost by the States as a result of reduced game harvests. The report also states that when moose leave the park they appear to be heavily hunted and, consequently, the effects of wolf reintroduction may be greater on moose than on any other potential prey if current hunting rates are sustained. I continue to question the wisdom of going forward with the wolf recovery program in Wyoming when we know that we can expect such significant reductions in my State's valuable wildlife populations.

I am not alone in voicing these concerns. The Wyoming Game and Fish Department recently indicated that they have very serious concerns about wolf reintroduction. The department noted that the most recent congressional report fails to address many of the department's concerns and leaves many important questions unanswered. Let me share with you a quote from a Wyoming Game and Fish Department press release on this subject. "Anyone reading this report who is in the business of wildlife management next to the national park shouldn't feel too comfortable about the whole idea of wolf reintroduction."

The Wyoming Game and Fish Department notes that hunting is likely to be reduced as a result of wolf reintroduction due to reduced big game populations. The department noted that elk populations, where wolves are present, cannot sustain cow harvests, and that bull harvests may have to be reduced. These reductions in harvest would be necessary if only ten adult wolves were present. Furthermore, the department noted that wolf control will be difficult, if not impossible, due to public outcry. This has been amply demonstrated in Alaska, Canada and Minnesota. In addition, the Wyoming Department of Game and Fish voiced concerns about who would pay for depredation, the amount of income lost by the State and the department as a result of reduced game harvests, and who is expected to pay for the management of wolves outside of Yellowstone Park. All of these are very serious issues.

Finally, I would note that the director of the Wyoming Game and Fish Department, Mr. Pete Petera, has been quoted as saying the following. "If this report is correct, the impacts to big game herds outside the park and to hunting may be too great for the public to tolerate." I trust the director of the National Park Service

and the director of the U.S. Fish and Wildlife Service will pay particularly close attention to this observation by the head of the Wyoming Game and Fish Department.

Many who support wolf reintroduction are not aware that wolves can often engage in a phenomenon called "surplus killing" where they will go on a killing binge when prey species are concentrated in a small area. In one recent Canadian study, wildlife biologists found that wolves had killed 34 caribou calves within minutes of each other and had only eaten 7. This surplus killing during the calving season could decimate wildlife populations that grizzly bears and hunters depend on. Given this behavior, it is easy to imagine the chaos that could result if wolves migrate from the park down to the National Elk Refuge near Jackson, Wyoming where the elk really are concentrated!

Another concern I have relates to the Park Service concept of "natural" hands off management. There are serious questions about how wolves will be managed in Yellowstone Park. If wolves are placed in the park and begin decimating wildlife herds that often migrate to areas outside the park it may be necessary to control or remove these wolves. However, the Park Service may declare that they don't want to interfere with a "natural" process and reductions of big game herds would continue unabated. Wolf predation in the park combined with a hands off management policy or a policy restricted by the Endangered Species Act is a recipe for disaster. We simply must have assurances that if wolves are placed in Yellowstone and they reduce ungulate numbers to the point that hunting opportunities are restricted then wolf numbers will be reduced inside the park.

Then we have the problem of restrictions of public access to public lands. In the past, we have seen Federal land managers use endangered species to justify unpopular policies in the name of endangered species protection. I am very much concerned that if wolves are reintroduced on our public lands, that certain Federal land managers will use the presence of the wolf to restrict public access.

Let me share with you one example of this practice. Recently, Yellowstone Park officials decided to prohibit kayaking and canoeing on the rivers and streams in Yellowstone Park and they used the endangered species act as a justification for this policy. In a report prepared by Yellowstone Park officials, the wolf and the whooping crane were used as reasons to prohibit boating and kayaking even though neither one of these species currently exist in Yellowstone Park.

In the past, we have also seen Federal land managers use the grizzly bear as an excuse to preclude public access to public lands. At one time, over one-sixth of Yellowstone Park was closed to public access in the name of grizzly bear protection. This type of land management behavior is ludicrous and it alienates the public and decreases support for endangered species programs. I see the potential for the same type of restrictions with regard to wolves. We simply must have assurances from Federal land managers that public access will not be restricted in the name of wolf protection.

Some wolf reintroduction proponents believe that the answer to this problem and many others is simply to classify the wolf as "an experimental population." However, I am skeptical that this classification will result in the type of management flexibility that is needed to manage a large predator. So long as the wolf is listed under the Endangered Species Act, I do not believe that the Federal and State land managers will be able to manage wolves properly.

Under current law, States are not allowed to conduct hunting or trapping seasons to control wolves that are involved in predation of livestock or big game or to provide for recreational hunting or trapping. This restriction stems from the *Sierra Club v. Clark* decision which prohibits States from conducting hunting or trapping seasons unless the State can prove without a doubt that this is the only possible way to alleviate population pressure.

It seems to me that there are two ways to remedy this situation. One method would be to enact legislation which would modify the *Sierra Club v. Clark* decision so that an experimental population classification could result in adequate management flexibility. The other method, and the method I prefer, would be to "de-list" the wolf altogether outside of the park so that States could have total management flexibility.

Senator McClure's bill calls for a reintroduction of wolves in a core area and these wolves would be afforded protection under the Endangered Species Act. It also calls for the de-listing of wolves outside of this core area and I applaud that approach. We can have adequate protection and recovery of wolves without invoking the overly restrictive requirements of the Endangered Species Act outside a given "core zone".

Lastly, I am concerned about livestock predation by wolves. Unlike the midwest, the factors of western topography, open range and low human population density combine to make it much more difficult to control wolf predation. In August 1987, a small pack of wolves ventured into a ranching area in Montana and within a period of several days killed two adult sheep, three steers and attacked a feral horse. Ranchers that had previously indicated that they did not think wolves were a major problem, now say they will shoot any wolf on sight.

Undercurrent law, ranchers are prohibited from killing wolves, even if they witness a wolf in the act of preying on livestock. Some environmental groups have proposed a compensation scheme to take care of this problem. However, it is very difficult, if not impossible to prove wolf predation, especially if an animal carcass is not discovered immediately. Not only that, if wolves are present, the cost of ranching will increase significantly because special precautions will have to be taken to protect livestock. A recent review of the scientific literature from the Soviet Union reveals that there are numerous examples where a few wolves killed from 30 to 200 sheep in one foray. Sometimes without even eating one sheep. Here again wolves exhibit the behavior of "surplus killing" which many environmental groups do not like to acknowledge exists.

Many proponents of wolf reintroduction in the Yellowstone area view such an endeavor as some giant biological experiment. This is another reason why I currently oppose reintroduction efforts. We simply cannot afford to conduct an "experiment" with our valuable wildlife resources in Wyoming, because these resources mean too much to us and to the Nation as a whole. I sincerely believe that the people of our State, our Nation, the wildlife and even the wolf deserve better and more thoughtful consideration of this important issue.

I believe the McClure bill represents a starting point for discussions which may some day lead to wolf reintroduction in a manner which will not decimate wildlife populations, restrict public access to public lands, cause excessive livestock predation, or disrupt local economies.

I embrace the concept de-listing wolves outside of certain core areas, but I remain concerned about "natural dispersal" of wolves outside of these core areas and the inability of States to manage these wolves with the proper flexibility.

We have all recently witnessed various controversies and conundrums related to endangered species protection. I cannot help but observe that in the western United States the public is becoming disillusioned with the over zealous use the "endangered" or "threatened" classification.

If wolf reintroduction proposals were made in the context of the wolf not being listed as an endangered species outside certain areas, I believe we would find much more public support for these efforts. It is relatively easy to manage an endangered butterfly. By comparison, it is very difficult to manage a large predator such as the wolf or the grizzly bear. In the final analysis, I believe that the Endangered Species Act does not provide the flexibility needed to properly manage a large and wide ranging and efficient predator. That is the crux of the wolf introduction controversy.

One unknown day, the conditions for wolf reintroduction may be in the cards, and we will know that. But until that time, prudence and good common sense dictate that we must seriously and more thoroughly examine the wolf reintroduction issue in order to identify the most likely pitfalls before we act precipitously.

Thank you for allowing me to share my thoughts about this very complex "biopolitical" issue.

Senator BUMPERS. That is quite all right, Senator. We are always pleased to have you here, and we thank you for your testimony.

Do any of the Members of the committee have questions of Senator Simpson?

[No response.]

Senator BUMPERS. Senator, thank you again for being with us this afternoon.

Senator SIMPSON. Thank you, Senator Bumpers.

Senator BUMPERS. Has Congressman Owens shown up yet?

[No response.]

Senator BUMPERS. In that case, Director Jim Ridenour of the National Park Service is our next witness.

Why not also bring up John Turner, who is Director of Fish and Wildlife. If you will just have a seat there, Mr. Turner.

Since we are getting all the Federal officials, how about Mr. Unger, Dave Unger from the Forest Service.

Mr. Ridenour, please proceed with your testimony.

STATEMENT OF JAMES M. RIDENOUR, DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR

Mr. RIDENOUR. Mr. Chairman, I appreciate the opportunity to provide the subcommittee with the views of the National Park Service on S. 2674, a bill to provide for the reestablishment of the gray wolf in Yellowstone National Park and the central Idaho areas known as the Selway-Bitterroot and River of No Return Wilderness Areas.

In general, S. 2674 seeks to achieve an objective which we support—that is, the recovery of the gray wolf in the Northern Rocky Mountains. We recommend that the bill be enacted with amendments set forth in our statement.

S. 2674, if enacted, would require the Secretary of the Interior within 2 years to introduce three Alpha pairs of gray wolves into each of two areas, Yellowstone National Park and an area of national forest wilderness in Central Idaho. The wolves, radio collared for monitoring purposes, would be permitted to disperse naturally, and any wolf that does not remain within the core area would be immediately replaced.

Effective on the day of enactment, S. 2674 would delist the gray wolf as a threatened or endangered species within the meaning of the Endangered Species Act outside the areas noted above within the States of Idaho, Montana, and Wyoming. The bill would prohibit future determination of the wolf as a threatened or endangered species outside the described areas in those three States except by act of Congress.

The locations of the recovery areas addressed in the bill are generally the same as the recommendations of the Northern Rocky Mountain gray wolf recovery plan approved by the U.S. Fish and Wildlife Service in 1987: Northwestern Montana, Central Idaho, and Yellowstone National Park. The core areas described in the bill, however, are considerably smaller than those indicated in the recovery plan. The recovery plan found that these three areas were essential to ensure the viability of the recovery effort as well as to protect the genetic diversity of the gray wolf.

We suggest that the core areas initially established in any legislation should be those described in the recovery plan at a minimum. The bill could provide that modifications to the core areas could be made by the Secretary during the preparation of an environmental impact statement.

Since the National Park Service is not involved in wolf recovery efforts in Central Idaho or the Forest Service wilderness in Montana, I will confine my comments to wolves in Yellowstone and Glacier National Parks.

We recommend that the bill be amended to increase the number of pairs from three to six pairs that may be released in Yellowstone National Park over a period of 3 years. If the size of the

group to be released in Yellowstone National Park is limited to three mated pairs, the effort will in all probability not be successful.

We would also like to see the bill amended to allow replacement not only of wolves which might leave the core zone but also those that might die within the early stages of the program. Our recommendation is that the bill be amended to increase the time for wolf reintroduction in Yellowstone from 2 to 3 years. That is intended to permit the necessary planning actions we believe are essential to the success of the effort.

These include a detailed restoration plan to determine where to capture wolves to be translocated, how the capture and relocation coordination between various agencies would be carried out, and when is the optimum time to release them after acclimation.

While S. 2674 is silent on the matter of the preparation of an environmental impact statement, we firmly believe that an EIS is an essential ingredient in the resolution of this highly controversial matter of public policymaking, and S. 2674 should be amended to authorize its preparation in light of current restrictions contained in the 1990 Interior and Related Agencies Appropriations Act.

As the restoration plan is being developed, the EIS could be drafted concurrently and circulated for public review sometime around the beginning of the second year following the enactment of the bill. The EIS would only address wolf reintroduction in the park. The third year following enactment would be devoted to the implementation of the restoration plan.

At some point in this period it will be necessary to develop a rulemaking under the provisions of the Endangered Species Act to designate the Yellowstone population as an experimental population in order to increase our flexibility to manage these translocated wolves. Designation of an experimental population involves preparation and publication in the Federal Register of a proposed rule detailing the geographic location of the experimental population and identifying procedures to be utilized in its management.

The bill calls for an introduction of Alpha pairs of gray wolves. Rather than attempt to capture established breeding pairs that already occupy the dominant position in a pack, we would propose to create such pairs by penning a suitable male and female together over the winter, during which time they should breed and be ready for release the following spring to raise their pups.

We propose the flexibility which Congress gave us in the amendment to the Endangered Species Act that allows designation of certain reintroduced populations of animals as experimental and non-essential. If the Bureau so designates this population of wolves, then they will be completely protected within the core zones as this bill calls for, yet they can be controlled to whatever degree is appropriate outside. These regulations would address at a minimum the following concerns:

One, management authority over wolves outside the core zone. Wolves could be managed by the States under special rules written for the experimental population and set out in a management plan by each State. Wolves might be regarded as game animals or furbearers by the States in certain zones so long as this is consistent with the overall conservation of the experimental population.

Two, the means of control outside the core zone. Ideally, this would be a State prerogative established in cooperation with the Fish and Wildlife Service, the National Park Service and the Department of Agriculture's Animal and Plant Health Inspection Service.

And last, periodic review and evaluation of the release. In other words, we need to have some way of determining whether it has been a success or a failure. Success can be defined in terms of having six wild reproducing packs living within the park at the end of 10 years from reintroduction, or there could be other measures.

Finally, Mr. Chairman, we have reservations about section 5 of S. 2674 and recommend it be deleted. This section would instantly remove the gray wolf from the list of threatened or endangered species within the States of Idaho, Montana, and Wyoming outside the core zones noted in the bill. We believe the status of an animal should be based on the biology. The committee may wish to consider reserving a decision on the status of the wolf until the recovery effort is well underway.

That concludes my prepared remarks, Mr. Chairman.
[The prepared statement of Mr. Ridenour follows:]

STATEMENT OF JAMES M. RIDENOUR, DIRECTOR, NATIONAL PARK SERVICE, DEPARTMENT OF THE INTERIOR, BEFORE THE SUBCOMMITTEE ON PUBLIC LANDS, NATIONAL PARKS AND FORESTS OF THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES, ON S. 2674, A BILL TO PROVIDE FOR THE REESTABLISHMENT OF THE GRAY WOLF IN YELLOWSTONE NATIONAL PARK AND THE CENTRAL IDAHO WILDERNESS AREAS.

September 19, 1990

Mr. Chairman, I appreciate the opportunity to provide the Subcommittee with the views of the National Park Service on S. 2674, a bill to provide for the reestablishment of the gray wolf in Yellowstone National Park and the central Idaho areas known as the Selway-Bitterroot and River of No Return Wilderness Areas.

In general, S. 2674 seeks to achieve an objective which we support, that is the recovery of the gray wolf in the Northern Rocky Mountains. We recommend that the bill be enacted with amendments set forth in this statement.

S. 2674, if enacted, would require the Secretary of the Interior, within 2 years, to introduce three Alpha pairs of gray wolves into each of two areas: Yellowstone National Park, and an area of national forest wilderness in central Idaho. The wolves, radio-collared for monitoring purposes, would be permitted to disperse naturally, and any wolf that does not remain within the core area would be immediately replaced. After the Secretary of the Interior determines that the three pairs have established themselves within the core zone in Idaho for a period of 3 years, he shall restrict the boundaries of the core zone to coincide with

the established territories. The Secretary would be further directed to permit the natural recolonization of gray wolves in Glacier National Park and the U.S. Forest Service wilderness areas adjacent thereto, as described on a map referenced in S. 2674. Finally, effective on the day of enactment, S. 2674 would delist the gray wolf as a threatened or endangered species within the meaning of the Endangered Species Act outside the areas noted above within the States of Idaho, Montana, and Wyoming. The bill would prohibit future determination of the wolf as a threatened or endangered species outside the described areas in those 3 states, except by an Act of Congress.

The locations of the recovery areas addressed in S. 2674 are generally the same as the recommendations of the Northern Rocky Mountain Gray Wolf Recovery Plan approved by the U.S. Fish and Wildlife Service in 1987: northwestern Montana, central Idaho, and Yellowstone National Park. The core areas described in S. 2674, however are considerably smaller than those indicated in the the recovery plan. The recovery plan found that these 3 areas were essential to ensure the viability of the recovery effort as well as to protect the genetic diversity of the gray wolf. We suggest that the core areas initially established in any legislation should be those described in the recovery plan as a minimum. The bill could provide that modifications to the core areas could be made by the Secretary during the preparation of an environmental impact statement (EIS). Since the National Park

Service is not involved in the wolf recovery effort in central Idaho, or the Forest Service Wilderness in Montana, I will confine my comments to wolves in Yellowstone and Glacier National Parks.

We recommend that S. 2674 be amended to increase the number of pairs from three to six pairs that may be released in Yellowstone National Park, over a period of up to 3 years. If the size of the group to be released in Yellowstone National Park, is limited to three mated pairs, the effort will in all probability not be successful. Studies to date by noted wolf experts suggest that there is a moderately high probability of extinction with a group of less than 10 wolves.

We would also like to see S. 2674 amended to allow replacement not only of wolves which might leave the core zone, but also those that might die within the early stages of the program. In Minnesota wolves have a mortality rate of about 30 percent. We also know that the initial reintroduction of red wolves in North Carolina resulted in the majority dying within the first year, both from disease and from accidents.

If a total of only six pairs are reintroduced in the Yellowstone National Park, then it is important not only that any wolves that leave the park be replaced, but that the act not preclude future additions of different wolves from Canadian populations if genetic diversity begins to decline and population survival appears to be

at risk.

Our recommendation that S. 2674 be amended to increase the time for wolf reintroduction in Yellowstone from 2 to 3 years is intended to permit the necessary planning actions we believe are essential to the success of this effort. These include a detailed restoration plan to determine where to capture wolves to be translocated, how the capture and relocation coordination between various agencies would be carried out, and when is the optimum time to release them after acclimation.

While S. 2674 is silent on the matter of the preparation of an environmental impact statement, we firmly believe that an EIS is an essential ingredient in the resolution of this highly controversial matter of public policymaking, and S. 2674 should be amended to authorize its preparation in light of current restrictions contained in the FY 1990 Interior and Related Agencies Appropriations Act. As the restoration plan is being developed, the EIS could be drafted concurrently and circulated for public review sometime around the beginning of the second year following enactment of S. 2674. The environmental review process could be expected to take in excess of a year, given the high degree of public interest in this matter. The EIS would only address wolf reintroduction in the park. The third year following enactment would be devoted to implementation of the restoration plan.

At some point in this period it will be necessary to develop a rulemaking under the provisions of the Endangered Species Act, to designate the Yellowstone population as an "experimental population" in order to increase our flexibility to manage these translocated wolves. Designation of an experimental population involves preparation and publication in the Federal Register of a proposed rule detailing the geographic location of the experimental population and identifying procedures to be utilized in its management. The rule may also authorize activities designed to contain the population within designated boundaries or to remove nuisance animals.

S. 2674 calls for the introduction of "Alpha pairs" of gray wolves. Rather than attempt to capture established breeding pairs that already occupy the dominant position in a pack, we would propose to create such pairs by penning a suitable male and female together over the winter, during which time they should breed and be ready for release the following spring to raise their pups. This process has worked well with red wolves in the southeastern United States, and we believe it can be successful with gray wolves, as well.

Mr. Chairman, the National Park Service shares the concerns of the proponents of S. 2674 that it be considered and promptly enacted, but we are convinced that progress on wolf restoration must be carefully designed and monitored in order that it not fail.

Under existing law we can design a restoration plan that protects both recovering wolves and a way of life that local residents enjoy in the Yellowstone area. It is simply a matter of using fully the flexibility which Congress gave us in the amendments to the Endangered Species Act that allow designation of certain reintroduced populations of animals as "experimental" and "non-essential." If the bureaus so designate this population of wolves, then they will be completely protected within the core zones, as this bill calls for, yet they can be controlled to whatever degree is appropriate outside. Under section 10(j) of the Endangered Species Act as amended, the appropriate level of control would be stated in regulations drawn up with public input through both the EIS and the rulemaking processes. These regulations would address as a minimum the following concerns:

1. Management authority over wolves outside the core zone. Wolves could be managed by the states under special rules written for the experimental population and set out in a management plan by each state. Wolves might be regarded as game animals or furbearers by the states in certain zones, so long as this is consistent with overall conservation of the experimental population.

2. The means of control outside the core zone. Ideally, this would be a state prerogative, established in cooperation with the U.S. Fish and Wildlife Service, the National Park Service, and the

Department of Agriculture's Animal and Plant Health Inspection Service (APHIS).

3. Periodic review and evaluation of the release. General regulations governing experimental populations call for periodic evaluation of the experiment. The specific regulations setting up the experimental population should define the terms of success. For example, the experiment could test the hypothesis that a self-sustaining population of gray wolves can survive over the long term entirely within Yellowstone National Park. Success could be defined in terms of having 6 wild reproducing packs living within the park at the end of 10 years from reintroduction. Of course, the recovery goal of 10 packs in this population remains the ultimate target unless scientific information results in a revision of the plan.

Finally, Mr. Chairman, we have reservations about section 5 of S. 2674 and recommend that it be deleted. This section would instantly remove the gray wolf from the list of threatened or endangered species within the States of Idaho, Montana and Wyoming outside the core zones noted in the bill. We believe the status of an animal should be based on biology. The committee may wish to consider reserving a decision on the status of the wolf until the recovery effort is well underway.

This concludes my prepared remarks concerning S. 2674, Mr. Chairman. I would be pleased to respond to your questions at this time.

Senator BUMPERS. Thank you, Mr. Ridenour.
Mr. Turner, did you have testimony?

STATEMENT OF JOHN TURNER, DIRECTOR, FISH AND WILDLIFE SERVICE, DEPARTMENT OF THE INTERIOR, ACCOMPANIED BY STEVE FRITTS, WOLF COORDINATOR, NORTHWEST STATES, HELENA, MT

Mr. TURNER. Mr. Chairman, I do not have a prepared statement.

Senator BUMPERS. Would you wish to make a statement?

Mr. TURNER. I would like to make some comments.

Mr. Chairman, it is a pleasure to appear before you today and accompany my colleague, Director Ridenour. The two of us, indeed, have been working on a conceptual plan and ideas that would address this important issue, which I think is classic in a way that we have an issue of strong national interest in direct confrontation with the valid needs and concerns of communities in the States.

The solution on which we would like to work with this committee would have some important elements. First would be that, in fact, we would have a plan where we would have a good chance for recovery of this species in an area where it existed for thousands of years.

Second, a plan which indeed recognizes the affected States as equal players not only in the development of the plan but looking at management goals and impact on local resources, many of the legitimate problems that my colleagues from Wyoming have already addressed, and which would allow the State full management authority and jurisdiction outside of Yellowstone Park.

Third, a plan, as Mr. Ridenour stated, that would be under the existing authorities of the Endangered Species Act. I strongly believe it has that kind of flexibility, and, in fact, Congress intended it to be used in areas like this.

Fourth, that the recovery effort be constructed as a legitimate experiment to test the hypothesis of can a viable wolf population in fact exist in Yellowstone Park and by a valid experiment have specific goals and objectives that, if they would fail to be met, the Federal Government would be willing to admit that the experiment was a failure, that the hypothesis was wrong, and that we would cease our efforts.

Mr. Chairman, our challenge in this bill and for our agencies again is to respond to a national interest and protect some of those most impacted. It is not my wish to have a plan which rams down the throat of our neighbors in Idaho, Wyoming and Montana a wolf recovery plan that does not accommodate their interests.

I realize this would require hard work and some compromise, but I personally believe that it is timely to address this. We have good evidence. I think we have good experience and good authority. One compelling reason, Mr. Chairman, is I think the possibility that wolves again could well appear in Yellowstone, either put there by forces in or outside Government, and, indeed, we would be under the full protection and rigorous applications of the Endangered Species Act.

Mr. Chairman, this has been a difficult issue for me because, as many know, I am a native of northwest Wyoming. As a rancher,

outfitter and legislator, I have lived my entire life in the region, so I know the terrain. I am familiar with many of the resources and the issues, and I happen to know a lot of the players on both sides of the fence, those passionately for and those strongly against, the latter of which includes members of my own immediate family.

I am not sure whether being in this position is actually advantageous, but it does help me appreciate and want to accommodate the legitimate concerns of people in the region. I am not passionate on the issue, Mr. Chairman, but I guess personally I would like to hear the howl of a wolf in Yellowstone during my time. I would, however, also like it done in a manner in which I will be allowed to come home to take advantage of that opportunity.

[Laughter.]

Mr. TURNER. Thank you, Mr. Chairman.

Senator BUMPERS. And still be on speaking terms with your brother.

Senator WALLOP. We can get you a good recording.

[Laughter.]

Senator BUMPERS. Mr. Unger.

STATEMENT OF DAVE UNGER, ASSOCIATE DEPUTY CHIEF, FOREST SERVICE, DEPARTMENT OF AGRICULTURE, ACCOMPANIED BY KIRK HORN, DIRECTOR, WILDLIFE AND FISHERIES, NORTHERN REGION

Mr. UNGER. Thank you. I am accompanied here today by Mr. Kirk Horn, Director of Wildlife and Fisheries from our Northern Region to help answer any technical questions that may arise.

We appreciate the opportunity to offer the Department of Agriculture's views on S. 2674 and would like to ask permission for our comments to be entered in the record in their entirety.

Senator BUMPERS. Without objection.

Mr. UNGER. We support this bill if amended as we suggest. We appreciate Senator McClure's sincere efforts to resolve this issue over the last several years. We know he has spent countless hours meeting with interest groups on all sides of the issue. It is our hope that S. 2674 will be a major step in resolving some of the long-standing controversies regarding the reintroduction of wolves in Yellowstone National Park and central Idaho.

The Department of the Interior clearly and appropriately has the lead with respect to reintroduction of wolves in Yellowstone National Park and central Idaho, and it is our intent to cooperate with them on behalf of gray wolf recovery. However, we feel that all recovery efforts must provide appropriate flexibility to manage wolves along with other uses of national forests.

I am going to pass over the next several paragraphs in my statement which recite the provisions of the proposed legislation and go to the middle of page 3.

Recovery and management of the gray wolf in the northern Rocky Mountains is a challenge because of first potential clashes over social, political, and resource values; second, the number and variety of recovery areas, the number of involved public agencies, and the number of involved interest groups; third, uncertainty about the recolonization behavior of wolves, differing management

policies and direction among involved State and Federal agencies and limited management experience with this species in the northern Rocky Mountains; and fourth, fear of losses to private property and access to public resources.

Because of these challenges and the need to involve the States and others who are stakeholders in the management of public lands, we suggest that changes be made to S. 2674. I would like to highlight our major recommendations.

Section 2 would direct the Secretary of the Interior to introduce three Alpha pairs of gray wolves within areas designated as core zones as defined on the map entitled "Wolf Core Zone—Idaho, Montana, Wyoming." We suggest that this section be amended to instruct the Secretaries of the Interior and Agriculture to establish an "Interagency Gray Wolf Committee" to coordinate wolf recovery in the northern Rocky Mountains. The threatened grizzly bear is successfully being managed in such a manner through the Interagency Grizzly Bear Committee and could serve as a model for the management of the gray wolf.

The "Interagency Gray Wolf Committee" would consist of high level officials from State and Federal agencies who are responsible for the management and recovery of the wolf. Other working groups and subcommittees would involve technical experts, scientists and field biologists from State and Federal agencies, universities, and interest groups.

Section 3 addresses the recolonization of wolves in central Idaho. We agree that each wolf introduced should be equipped with a radio collar for monitoring purposes and that the Secretary of the Interior should have flexibility to adjust core area boundaries to coincide with established wolf territories. The core area as presently delineated may need to be adjusted to accomplish the objectives of this section. We are available to assist in redefining this area.

Section 4 addresses the natural recolonization of wolves that is occurring in northwestern Montana. The natural recolonization occurring in Montana is being handled under the normal administrative processes of the Endangered Species Act. We recommend that this section be amended to accommodate changes to the boundaries of the natural recovery area to coincide with the territories established by recolonizing wolves.

Section 5 would declare the gray wolf not to be a threatened or endangered species within the meaning of the Endangered Species Act outside the areas designated as core zone and natural recovery areas on the map entitled "Wolf Core Zone—Idaho, Montana, Wyoming" dated May 17, 1990. We recommend this section be deleted and that the wolves introduced into Yellowstone National Park and central Idaho be established as experimental populations as defined in section 10(j) of the Endangered Species Act.

The use of experimental population provisions would allow effective management of wolves causing depredation. Where appropriate, regulations could provide for the directed removal, or where needed the "taking" of nuisance wolves within the experimental populations if depredations occur.

In summary, Mr. Chairman, we support the basic intent of this bill. We believe that our amendments provide an avenue for participation by the States and for active involvement by those who

depend on public lands for their livelihood through the formation of an "Interagency Gray Wolf Committee."

[The prepared statement of Mr. Unger follows:]

STATEMENT OF
DAVE UNGER, ASSOCIATE DEPUTY CHIEF
FOREST SERVICE
UNITED STATES DEPARTMENT OF AGRICULTURE

Before the
Subcommittee on Public Lands, National Parks and Forests
Committee on Energy and Natural Resources
United States Senate

Concerning S. 2674
To provide for the reestablishment of the gray wolf in Yellowstone National
Park and the Central Idaho Wilderness Areas

September 19, 1990

MR. CHAIRMAN AND MEMBERS OF THE SUBCOMMITTEE:

Thank you for the opportunity to offer the Department of Agriculture's views on S. 2674, a bill "To provide for the reestablishment of the gray wolf in Yellowstone National Park and the Central Idaho Wilderness Areas."

Mr. Chairman, we support this bill if amended as we suggest.

We appreciate Senator McClure's sincere efforts to resolve this issue over that last several years. We know he has spent countless hours meeting with interest groups on all sides of the issue. It is our hope that S. 2674 be a major step in resolving some of the long-standing controversies regarding the reintroduction of wolves in Yellowstone National Park and central Idaho.

The Department of the Interior clearly and appropriately has the lead with respect to reintroduction of wolves in Yellowstone National Park and central Idaho and it is our intent to cooperate with them on behalf of gray wolf

recovery. However, we feel that all recovery efforts must provide appropriate flexibility to manage wolves along with the other uses of National Forests.

The provisions in S. 2674 provide for the transplanting and maintaining of a minimum of three alpha mating pairs of gray wolves into each of two core zones. One of the zones is the 2.2-million-acre Yellowstone National Park. The second zone is a 2-million-acre area located in central Idaho within the boundaries of the Selway-Bitterroot and River of No Return Wilderness. Within these two core zones, as well as within the "Natural Recovery Area" of northwestern Montana where natural recovery is already underway, wolves will continue to be listed as endangered.

In addition, S. 2674 provides that at such times as the Secretary of Interior determines that three alpha pairs have established themselves within the core zone in Idaho for a period of 3 years, the Secretary shall restrict the boundaries of the core zone to coincide with the established territories. The provisions of S. 2674 further provide for the immediate delisting of wolves outside the areas designated as "Core Zone" in Yellowstone National Park and central Idaho, and the area designated as a "Natural Recovery Area" in northwestern Montana.

The gray wolf was listed as "endangered" throughout the lower 48 states, except Minnesota, in 1978. In accordance with Section 4 of the Endangered Species Act, recovery plans have been developed for three subspecies of gray wolf: eastern timber wolf, Mexican wolf, and Northern Rocky Mountain wolf. The Northern Rocky Mountain Wolf Recovery Plan was approved in August 1987. The recovery team includes representatives from the Forest Service, U.S. Fish and

Wildlife Service, National Park Service, State wildlife agencies, university wildlife researchers, livestock producers, and conservation interests.

The recovery plan is not a decisionmaking document. Rather, it provides conservation strategies for wolf recovery in three areas: northwestern Montana, the Greater Yellowstone Area, and central Idaho. In northwestern Montana, in and around Glacier National Park, wolves have already begun to recolonize by moving down from western Canada. Natural recolonization of the gray wolf is occurring in the Great Bear and Bob Marshall Wildernesses which are managed by the Forest Service. No wolf packs remain in the Greater Yellowstone area or in central Idaho and recovery will likely depend on reintroducing wolves from other areas.

Recovery and management of the gray wolf in the Northern Rocky Mountains is a challenge because of:

- (1) potential clashes over social, political and resource values;
- (2) the number and variety of recovery areas, the number of involved public agencies, and the number of involved interest groups;
- (3) uncertainty about the re-colonization behavior of wolves, differing management policies and direction among involved State and Federal agencies, and limited management experience with this species in the Northern Rocky Mountains; and
- (4) fear of losses to private property and access to public resources.

Because of these challenges and the need to involve the States and others who are stakeholders in the management of public lands, we suggest that changes be made to S. 2674.

I would like to highlight our major recommendations.

Section 2 would direct the Secretary of the Interior to introduce three alpha pairs of gray wolves within areas designated as "Core Zone" as defined on the map entitled "Wolf Core Zone-Idaho, Montana, Wyoming." We suggest that this section be amended to instruct the Secretaries of the Interior and Agriculture to establish an "Interagency Gray Wolf Committee" to coordinate wolf recovery in the Northern Rocky Mountains. The threatened grizzly bear is successfully being managed in such a manner through the Interagency Grizzly Bear Committee and could serve as a model for the management of the gray wolf.

The "Interagency Gray Wolf Committee" would consist of high level officials from State and Federal agencies who are responsible for the management and recovery of the wolf. Other working groups and subcommittees would involve technical experts, scientists, and field biologists from State and Federal agencies, universities, and interest groups.

Section 3 addresses the recolonization of wolves in central Idaho. We agree that each wolf introduced should be equipped with a radio collar for monitoring purposes and that the Secretary of the Interior should have flexibility to adjust core area boundaries to coincide with established wolf territories. The core area as presently delineated may need to be adjusted to accomplish the objectives of this section. We are available to assist in redefining this area.

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The use of experimental population provisions would allow effective management of wolves causing depredation. Where appropriate, regulations could provide for the directed removal, or where needed the "taking" of nuisance wolves within the experimental populations if depredations occur.

In summary Mr. Chairman, we support the basic intent of this bill. We believe that our amendments provide an avenue for participation by the States and for active involvement by those who depend on public lands for their livelihood through the formation of an "Interagency Gray Wolf Committee."

I will be pleased to respond to your questions.

Senator BUMPERS. Thank you very much, all of you gentlemen, for your testimony.

Let me say, first of all, this is not a case of first impression. The last time I saw John Varley we were having dinner by candlelight since the fire had destroyed all the power to the hotel. John was the first person to really make me aware of this problem and this business of reintroducing the gray wolf into the Yellowstone area. I must confess I have not devoted a great deal of time to it since then, but it is an interesting subject and one which needs to be dealt with.

While it needs to be dealt with, I was just thinking a moment ago that let us assume that environmentalists go up to Canada and each one gathers up a wolf, making sure they get 15 males and 15 females, and they come down to Yellowstone and just drop them out of the back of a pickup truck at midnight. That would then make the wolf subject to the Endangered Species Act, would it not?

Mr. TURNER. Mr. Chairman, it is my understanding that some groups have talked about perhaps such a ploy. It would be a burden on the National Park Service and the Fish and Wildlife Service to in fact prove that those wolves had been placed there artificially. I think that would be very difficult for us to do. In fact, I think ourselves, the Forest Service, the States and the private businessmen would be required to follow the Endangered Species Act to protect those released animals.

Senator BUMPERS. In that connection, let me ask you this question. If, as all of you have recommended, the provision in Senator McClure's bill removing them from the Endangered Species Act is deleted, they are then subject to the Endangered Species Act, I take it, but they are also subject to control. Would they be subject to control by virtue of a provision in the bill or by virtue of some special provision in the Endangered Species Act?

Mr. TURNER. With or without the bill?

Senator BUMPERS. Let us assume that we strike that provision that takes them out from under the Endangered Species Act and it is not mentioned in the bill. Does that thereby give those who are doing this reintroduction project the right to control the wolf outside the boundary where it is reintroduced?

Mr. TURNER. Mr. Chairman, if I understand your question, within the authorities of the Endangered Species Act, without adopting the exemption for the wolves in the three core zones we would have two alternatives:

One, which Mr. Ridenour and I have discussed using the authorities of paragraph 10(j), where we could declare wolves that we put there as experimental and nonessential and, therefore, allow take in areas outside our definition; or two, which we have done with other species in this recent year in working with States and developers invoking an incidental take provision and allowing States and private developers the flexibility to take listed species in compensation for habitat conservation plans.

Either one of those areas would work. The latter would be for animals already there in Senators Burns or McClure's country. The experimental or nonessential we could only apply to introduced individuals.

Senator BUMPERS. Of course, Senator McClure can speak for himself, but I assume the reason he wants to exclude it from the Endangered Species Act is so that some farmer is getting his sheep eaten up can kill a wolf and not go to jail for it.

I am not sure I understood your answer, Mr. Turner. My question is, in the same scenario if we eliminate that part of the bill this wolf will be subject to the Endangered Species Act, but is there any provision that would give the Fish and Wildlife Service the right to control the population of this wolf or to kill the wolf if it got off the reservation, so to speak?

Mr. TURNER. Mr. Chairman, the goal of Senator McClure's bill is to allow the protection and recovery of wolves in core areas and allow the take of wolves in areas where they wander and where they should not be.

So the question is, can we get to the same position utilizing the existing authorities of the Endangered Species Act—I am confident that we can—utilizing habitat conservation planning for wolves that are already there or in a reintroduced population using the experimental and nonessential designation.

I do not think we could use the latter where we already have wolves like in Montana and probably Idaho, but we could use the incidental take provision and, in fact, we are allowing that under things like the desert tortoise and many species in California where we allow the incidental take of species because we also have counterbalanced it with a plan which has a low risk and a good chance of recovery.

Senator BUMPERS. On the question of the number of wolves, I understood discussing this with Mr. Varley a couple of years ago. We are talking about a lot more wolves now. Mr. Ridenour, you say six pairs. Mr. Mark Boyce says 12 pairs. Is that right? 15 pairs, 30 wolves.

The indication is by a lot of people who know more about this than I is that either three or six pairs are unrealistic if you are really serious about recovery.

You have a mild conflict, Jim, obviously with Mark Boyce on this.

Mr. RIDENOUR. I guess our science would indicate that certainly three is not enough, and six would be on the low end. There is room for disagreement, I am sure.

Senator BUMPERS. My question is, why would we want to go into this with a bare minimum and sort of pray for success when we could introduce a few more wolves and be fairly assured of success?

Mr. RIDENOUR. Well, I am not sure we would be assured of success. I think back to our situation——

Senator BUMPERS. The more you put in, obviously the better chance you have. Is that a fair statement?

Mr. RIDENOUR. I think that would increase the opportunity, yes.

Senator BUMPERS. Mr. Turner, back to you. Let me ask you this question.

The Fish and Wildlife Service recommended this back in 1987. What has happened since then? You do not even need the McClure bill. You have the right to do this. Now last year he stopped you from doing an EIS statement under a provision in the appropria-

tion bill, but what happened between 1987 and 1989 before he put that in?

Mr. TURNER. Mr. Chairman, that was not part of my watch, so I do not know if I can adequately answer it.

The Congress certainly asked us to go back and do more studies. Of course, those are in now and have been available for people to look at. Senator McClure brings us out from under cover with his bill, certainly, and one of the reasons we are here before you is to try to respond to that.

If I might just briefly with regard to your question on numbers, you pointed out that numbers are relevant in what kind of chance you want for recovery. Of course, the reason for recovery is so we can delist and eliminate a lot of the problems of the Endangered Species Act.

Another element in that is how you release them. If you just dump them out——

Senator BUMPERS. Pardon me. How you what?

Mr. TURNER. The manner in which you release.

If you just back a truck in there with wolves in some core area and release the door, there is a good chance they will disperse widely and go out and get run over or shot outside the core area. If you do what Mr. Ridenour was explaining, a soft release, then you have a better chance of holding them in the core area and getting them to acclimate to the prey base and the terrain.

Senator BUMPERS. Do you all agree with the provision in the bill that they should have electronic collars? Does everybody agree with that?

Mr. UNGER. We do.

Mr. RIDENOUR. Yes.

Senator BUMPERS. You know, I must say I am sure that that is really important for wildlife. I watch Discovery and A&E probably much more than I do any other channels. I never tire of watching those shows, but I must also say I tire of watching people with these dart guns shooting everything in sight and putting collars on them. Just think about it. That must be terribly stressful.

I assume that in the research they are doing they have concluded that the value of the research far outweighs the stressing of the wildlife, but you cannot turn on a television set anymore where somebody does not have a gun sedating a grizzly bear or sedating something else.

Mr. Turner, that is on your watch, too.

Mr. TURNER. Mr. Chairman, I have asked those questions and expressed that concern. I think with this particular resource problem, knowing where those wolves are going and where they are headed could be very useful, so you would collar them prior to release.

We are getting some good techniques with polar bears, with walruses, and with migrating geese, and I think biotelemetry will continue to be an important tool that we have in doing basic and applied research for wildlife. I hear what you are saying, and I have expressed the same concerns.

Senator BUMPERS. Would these wolves attack a grizzly?

Mr. TURNER. Mr. Chairman, there are areas where the experts are able to watch grizzly bears and wolves interact at this time. There does not seem to be serious conflict. A grizzly is definitely a

dominant predator in strength and size, and there does not seem to be serious conflict.

Senator BUMPERS. If there were 100 wolves in Yellowstone, how many elk would it take to sustain that pack over a period of a year? 100 wolves.

How many elk would it take to feed them?

Mr. TURNER. Mr. Chairman, I read those numbers last night, and I cannot remember. It is in our report, and I will supply that to the committee.

John just mentioned to me that a rough figure would be 7 to 12 elk per year per animal.

Senator BUMPERS. 7 to 12 per year per animal.

Mr. TURNER. Yes, sir.

Senator BUMPERS. So you are talking about between maybe 700 and 1,200 elk?

Senator WALLOP. That presupposes, Mr. Chairman, I think, that you have wolves that only kill and eat and have none of the other predatory behaviors.

Senator BUMPERS. What is the elk population in Yellowstone?

Mr. TURNER. Mr. Chairman, the summer population is somewhere between 25,000 and 35,000 animals, the majority of those being on the north end of the park. Of course, the winter population varies depending on the severity, but probably 40 to 50 percent of those numbers might stay within the park over winter.

Senator BUMPERS. How many bison are in the park?

John, do you know?

Mr. RIDENOUR. About 3,000.

Senator BUMPERS. How many moose?

Mr. TURNER. The superintendent says that he has no good figures, and that is a resource that I think we would want to keep an eye on in this particular effort.

Senator BUMPERS. Are there other predators in the park now? I mean the grizzlies, I assume, eat mostly fish, do they not?

Mr. TURNER. Mr. Chairman, the grizzlies to the north of the Yellowstone region often have a basic diet of fish, but it seems like the silver tip grizzly in Yellowstone has a mix of everything from sedge grasses, to small animals, to insects, to the large ungulate.

Senator BUMPERS. Are there wolves in the park now, any other species of wolf?

Mr. TURNER. Mr. Chairman, there is definitely no confirmation of denning wolves. Down through the years there have been a few probable sightings, but it is unlikely that there are any wolves there in numbers to speak of.

Senator BUMPERS. Senator McClure.

Senator MCCLURE. Mr. Chairman, just a follow-through on two or three of the questions that you asked here. A number of the questions have impacted upon other animals within the national park or at least attempt to be answered in the report that has been filed, and I assume that you are familiar with that report and the numbers.

Let me refer to pages 4-56 and 4-57 in that report which presented the conclusions of the researchers in a slightly different way, that the impact of wolf population of 10 packs after 10 years

might result in a reduction in the elk population of less than 20 percent.

The impact of wolves on mule deer under the same assumptions, 10 years after reintroduction, assuming a stable wolf population of 10 wolf packs of 10 wolves each, a reduction of between 20 and 30 percent was expected.

In the same scenario with reference to moose, a reduction in the moose population of between 10 and 15 percent is expected.

With reference to bison, a reduction in the bison population of less than 20 percent is expected.

With respect to prong horn, big horn sheep and mountain goats, the conclusion of the panel was that these would not likely be an important food source for the wolves.

Are you in general agreement or disagreement with those findings?

Mr. Ridenour.

Mr. RIDENOUR. I think we are in general agreement.

Senator McCLURE. Mr. Turner.

Mr. TURNER. Mr. Chairman, as I read the report, and not being an expert, I saw there was a considerable amount of disagreement among our so-called experts from low range to high range.

Some of these questions, what will happen if we have wolves in Yellowstone, it seems like the only way we would get an answer is to have an experiment and put wolves in Yellowstone and then put together a management scenario that if the impact on certain resources got unacceptable by a wolf team that in fact it would be recognized that inside and outside the park there would be management invoked.

Senator McCLURE. I appreciate both your answers.

Mr. Unger.

Mr. UNGER. Our understanding is that is good information.

Senator McCLURE. Thank you.

Now Senator Bumpers asked a question a moment ago and said that I would answer for myself. I want to pursue that for just a moment.

Why start with low numbers? One of the reasons is precisely the last answer you gave, Mr. Turner. If you start with low numbers and the impacts are much greater than anticipated, then you have not done irreparable harm to other resources. Is that correct?

Mr. TURNER. Fewer wolves are certainly likely to have less impact on the ungulate populations.

Senator McCLURE. If the experts' range of opinions should come down on the high range or even outside the high range, you have done less damage with low numbers than you have with high numbers of wolves? Is that correct.

Mr. TURNER. Yes.

Senator McCLURE. I would say to my friend from Arkansas that is one of the reasons.

Mr. RIDENOUR. I might just say, Senator, if I may, that John Varley mentioned to me that the indications they have are that if we do a rather intensive job with six that that should be adequate. In other words, in order to monitor and do all the things to try to make this successful, six would be adequate.

Senator McCLURE. Is it correct that the entire wolf population of the Isle Royal started with one pair?

Mr. RIDENOUR. I think that is correct, yes, sir.

Senator McCLURE. So to say that three pairs are bound to fail, that has already been disproven. There is a greater risk, but to say that it is a sure failure stretches the science, too.

The initial release of the red wolf was a very small number if I recall correctly, and that has been a successful reintroduction, has it not?

Mr. RIDENOUR. Yes.

Senator McCLURE. But it was much lower than some of the experts are now recommending with respect to the gray wolf. I think it is important for us as we look at this legislation. I am not fixed on three Alpha pairs as the only possible number, but there are some uncertainties involved. If you try three and it does not work, you have lost some time. If you try 10 and it is too many, you have lost something else. I would rather be a little bit on the cautious side, not because I do not want to see the success but because I do.

There are a number of very constructive suggestions in the testimony which you have given, Mr. Ridenour, and I appreciate a number of them. Is it not a fact that some of the suggestions that are contained either in my bill with respect to a recovery plan or, in your alternatives, require some legislation?

Mr. RIDENOUR. Yes, sir.

Senator McCLURE. We cannot get from here to there remaining silent in terms of legislation?

Mr. RIDENOUR. Yes. I think it is fair to say that we believe there needs to be legislation.

Senator McCLURE. Mr. Turner.

Mr. TURNER. Mr. Chairman, I think legislation would be helpful for the following reasons. Even though I think Mr. Ridenour and I agree that we do not need to amend the Endangered Species Act, I think legislation would be helpful. It nudges us along a specific path, first of all. Second, you could establish timetables to establish a team as we concur with the Forest Service, to get on with an EIS, to involve the public and to implement a certain concept. You could put on sideboards that give some comforts to the State that the rules of the game indeed are going to make them equal players. You could lay out the conceptual framework of how we are to proceed.

I think it would be very useful and reassuring to the impacted States.

Senator McCLURE. Mr. Unger.

Mr. UNGER. Yes, we would agree that legislation would be helpful.

Senator McCLURE. With respect to what is an Alpha pair, I had not thought there was ambiguity with respect to the provision in my bill in that regard. I certainly would have understood it in the way you have defined it in your statement, Mr. Ridenour. I think that is a helpful suggestion.

With respect to one of the other issues that is involved, one of the reasons for specific legislative provisions that I have included in my legislation comes about with the uncertainty about an experimental population.

If we assume that there is an experimental population, the moment you have released the wolves you know exactly who they are, where they are and how many there are. Within 24 hours it becomes a little more uncertain. Within 30 days it is more uncertain yet. At the end of one breeding season you have lost control of the identity of a number that are there. Is that not correct? Mr. Turner.

Mr. TURNER. Mr. Chairman, we could certainly track the initial pairs, the breeding pairs, with collars. You would also have the opportunity if the researchers wish to do it to take the pups prior to emerging from the den and also collar them.

It is safe to say, as Senator Wallop has pointed out, that the wolves are going to leave the area of recovery, and whether you wish to track and monitor those would be up to the research team in the experiment.

Senator McCLURE. And the Congress as to whether they provide enough money.

Mr. TURNER. Thank you.

Senator McCLURE. Well, I knew you would be reluctant to say that.

The reason I mention that is there is a degree of uncertainty that spreads over time and grows over time as to whether or not the wolf that you may cite or deal with is a member of the experimental population. If at the end of 2 or 3 years you deem the experiment to have failed and stop your activities, you do not go out and round up every last wolf and kill it or remove it. So you have reintroduced a population that was not there, and it is still there and protected by the Endangered Species Act after the end of the experimental population monitoring and effort. Is that not correct?

Mr. TURNER. Mr. Chairman, if we failed to meet the goals of recovering so many packs within Yellowstone within a given period of time, there is no reason to change the provisions of allowing that to continue to be a nonessential population to the well being of the gray wolf in North America. The States would still have that option. If those few last wolves continue to wander out of the park, it would be my hope we would allow the States to continue to take those if they choose.

Senator McCLURE. Let us say 3 years later, you have lost track of them and they have not successfully reestablished themselves, you do not know how many or where they are, and the thing is a failure. About that time, one wolf shows up about 30 miles outside of the park in somebody's band of sheep. Where did it come from? Whose wolf is it?

Mr. TURNER. You have allowed initially for the States of Montana, Idaho, and Wyoming to take large, broad corridors outside of Yellowstone and relinquish the authority back to them to manage it, so you do not diminish the ability to take even over a long period of time.

Senator McCLURE. But they would be protected under the Endangered Species Act.

Mr. TURNER. Mr. Chairman, we have the authority to have those wolves in that large area to be nonessential experimental.

Senator McCLURE. All wolves?

Mr. TURNER. All wolves in that particular area.

Senator McCLURE. So you would define the wolves by area and not by origin?

Mr. TURNER. The assumption would be origin, but we have the authority to allow the States full jurisdiction within that particular corridor that we would work out with the team.

Senator McCLURE. I do not suppose it would surprise you a heck of a lot that some people do not trust you that much?

Mr. TURNER. I appreciate that, and there is probably reason for that distrust.

Senator McCLURE. I do not say that other than the fact to say you have the authority to do something does not guarantee to them that it will be done that way. That is a statement of fact, and I will not ask you to comment.

That is one of the areas, therefore, where perhaps we can provide some kind of guidance in terms of legislation and gives them the assurances that would certainly be necessary if they are going to be at all tolerant of a proposal for reintroduction.

Mr. TURNER. If I understood your point, essentially you are saying that if at some point we declared that it was unsuccessful, would the conditions that existed prior to this whole program go right back into effect—in other words, the Endangered Species Act—or how would it be handled for some that would still be wandering around?

Senator McCLURE. Right.

Mr. TURNER. I just want to make sure I understood.

Senator McCLURE. I think that is a substantial concern on the part of a great many people, and I do not think it is an unfounded concern. If a wolf were to show up 50 miles away from the established groups in Glacier and the areas next to Glacier, there would be some assumption that that wolf came from Glacier but no proof that it did.

With respect to your suggestion that somebody might indeed release a wolf, your best hope would be under those circumstances that they had indeed done a good job of getting the appropriate species of wolf to release, but it might be a hybrid, somebody's pet out of somebody's back yard in Provo, for example. Is that a substantial possibility as well? Does the Endangered Species Act extend to the protection of a creature that is not a wolf of the kind that you would wish to protect under the Endangered Species Act?

That is one of the controversies going on right now. There are wolf sightings, and people are going out and howling up a storm trying to find some response out there. They do not know what it is they have when something howls back. It is probably another researcher out there howling.

[Laughter.]

Senator McCLURE. That is a lot of fun on a dark night when you have the right company.

There is a great deal of concern about what are the animals that may be there, so there is an extensive scientific effort made with respect to getting enough hair samples and so on from a wolf that is denning somewhere so that scientists can determine whether it is a wolf or something else. Not all the sightings are valid sightings. We have a lot of sightings, a lot of reports but very few confirmed sightings of a truly wild wolf.

That is a matter of concern to all of us as we deal with the present status of the endangered species without respect to a recovery plan or a reintroduction or an experimental population. That is one of the reasons why I have been very hesitant with respect to experimental populations unless at the same time simultaneously with that we are able to pass legislation that sets some of the parameters that, indeed, everyone on all sides can count on.

While there are those who certainly say that reintroduction cannot be possible with less than 10 or 12 pairs, as I recall the goal of the recovery plan is 10 breeding pairs. Is that correct?

Mr. RIDENOUR. 10 packs.

Senator McCLURE. So the official position is if there are 10 packs in the area, that is 10 Alpha pair. They are built around an Alpha pair. If there are 10 Alpha pairs out there and 10 packs out there, the population is recovered, and, therefore, it is delisted. Yet others are saying you have to introduce more than that before we start. That is a little puzzling to me, particularly in the fact that with adequate prey base the reproduction rates are pretty good.

We also have other scientists who tell us that my bill is exactly the right way to start. Start low and cautiously and find out what the impacts are, observe their conduct and observe their impact upon other animals, observe their interactions with the domestic livestock, observe their impacts on game herds and the hunter reactions to that, all of which are very real future possibilities, and start out tentatively.

I respect those who say let us go for broke. Those people who are on that side of it, a very legitimate position, have no other agenda in mind. They have no other concern. All they want to do is get a whole bunch of wolves out there right now, and that is adequate from their point of view. I do not criticize them for that, except policymakers have the difficulty of looking at and balancing other considerations as well.

I do appreciate the testimony that you have given. I think it is helpful. It helps us look at some of the issues that we are looking at and must address. It helps us focus on some possible changes that might make this bill more workable and, therefore, hopefully more acceptable.

Thank you very much for your testimony.

Senator BUMPERS. Senator Wallop.

Senator WALLOP. Congressman Owens has just come in. We will ask him to come up.

Senator McCLURE [presiding]. Congressman, you are very welcome here.

Gentlemen, you can just stay at the table.

STATEMENT OF HON. WAYNE OWENS, U.S. REPRESENTATIVE FROM UTAH

Mr. OWENS. Thank you very much, Mr. Chairman. As I sit before my colleagues from Montana, Idaho, and Wyoming, I recall the story in the Bible of Daniel as if he were in sheep's clothing appearing before a den of lions, and the irony of being in sheep's clothing in this situation is not lost on me, as I am sure it is not lost on members of the committee.

Senator McCLURE. There are those who would say you are safer in a den of lions than you would be with a pack of wolves.

Mr. OWENS. I am here to testify to the contrary, Mr. Chairman.

Thank you for allowing me to step into the middle of this in coming late. This legislation is of real importance to me. Of course, the national public interest was before our committee over there, and I was hence delayed here.

I appreciate, Mr. Chairman, your willingness personally to try to find a path through this thicket that might permit the reintroduction of wolves into the park.

I have three areas of disagreement with your legislation, and I have a statement which I would ask be inserted in the record in full.

Senator McCLURE. So ordered.

Mr. OWENS. I would like to deal with those three, probably four, issues.

I think the area drawn is not adequate for recovery, and I think the number of breeding pairs of wolves based on both these issues and competent testimony is not adequate to assure full recovery.

I am also opposed to a delisting before you have a certified recovery. As I have said to you in private conversation and to Mr. Haywood, your staffperson, I am not offended at all at the idea of delisting at the point of recovery.

The other main structural flaw with your legislation, very respectfully, Mr. Chairman, is its failure to provide for NEPA compliance. As you well know, I have tried for several years to get the environmental impact statement completed. It is, I think, within the possibility of completion within a few months. Very, very serious and I think successful, positive studies have been performed and some of them reperformed in waiting for this environmental impact study opportunity, and I am very much concerned with that process and with the public involvement that that process would bring and the opportunity to address these issues with the public in your different States.

The experimental population provisions of the Endangered Species Act it seems to me ought to be applicable here in the solution of this problem.

Two personal experiences. I had the sensation of which you spoke, Mr. Chairman, of howling into the night and having either, as you suggest, another researcher or a pack of wolves howling back at Riding Mountain National Park in Manitoba, our neighbor to the north. There in Manitoba I spent 3 days last fall just a year ago. It seemed a convenient and enjoyable excuse under the guise of official business to visit that park which had been characterized to me by the National Park Service as being perhaps the best model to look at for Yellowstone.

There exist 70 to 80 wolves in kind of this happy symbiotic relationship with a very healthy elk population, and outside the park were the very healthy sheep and cattle population. I spent time not only within the park but around the outside of the park talking to farmers and ranchers. There, literally, Mr. Chairman, in recent years at most I could find stories of one or two sheep being taken by wolves. That is a different configuration, obviously. Riding Mountain is kind of a mountainous area right out in the middle of

a plain, but the wolves are not bashful, interestingly enough, about mixing with cattle and sheep. They just prefer elk and other ungulates within the park.

The other experience that I had which seems to me is relevant is the Minnesota experience where, as you know, there are 1,200 wolves which live with, as I recall, 250,000 sheep and 50,000 cows. They take a few every year, and there is compensation for them. I spoke with some ranchers, and in total honesty I must tell you that some of those ranchers do not like the wolves as much as the ranchers in Canada; but there is a healthy growth of ungulates and a relatively small percentage of predation among domestic farm animals.

Lastly, it just seems to me, if I could just say, I am anxious for this to go forward in a way that is not disruptive unduly to ranchers and to the outfitters and others who fear that the reintroduction of the wolf will cause genuine problems, and I am anxious legislatively to be of assistance in bringing that about.

Nothing is ever perfect, as we all know, in legislation, and so that we protect the NEPA process I would be very anxious to try to pursue, Mr. Chairman, as I have told you privately, some form of a bill which may protect some of the values and the concerns which very properly occupy the three of you here this afternoon.

[The prepared statement of Mr. Owens follows:]

STATEMENT

OF

CONGRESSMAN WAYNE OWENS

ON

GRAY WOLF RESTORATION TO YELLOWSTONE NATIONAL PARK
AND THE CENTRAL IDAHO WILDERNESS AREAS AS
CONTEMPLATED UNDER S.2674

SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES;
SUBCOMMITTEE ON PUBLIC LANDS

SEPTEMBER 19, 1990

Few species are evocative of our emotions and beliefs as are wolves. To many, they are a magnificent animal, superbly adapted for their role as a preeminent predators of hooved mammals. For others, the return of wolves to the West represents an economic threat to big game hunting, livestock, and livelihoods. Neither of these views can be discounted, for there is realism in both. Each is deserving of our attention as we begin the task of returning the wolf to Yellowstone.

In many countries and for many Americans, tangible symbols of wilderness are no better measured than by a deep mournful howl, or chorus from a wolf pack on a clear and crisp night. I have had such experiences. With a minimal amount of conflict, I believe there is ample room in our existing national parks and wilderness areas in the West for gray wolves to be restored. In Montana and Idaho wolves are returning on their own. Experts believe they will have to be reintroduced to Yellowstone.

Yellowstone National Park and its surrounding wilderness is one of three areas identified by the U.S. Fish and Wildlife Service in its approved plan for recovery of wolves in the Northern Rocky Mountain region. The cornerstone of the plan is focused on the restoration of wolves to Yellowstone.

Wolves were native to Yellowstone National Park. Evidence found in Lamar Cave proves that both wolves and elk were present in Yellowstone as long as 1000 years ago. They evolved together.

In some years perhaps there were too many wolves, and in others perhaps too many elk. Whatever the case, they coexist, with neither causing the extinction of the other.

The last of Yellowstone's wolves were gone from the Park by 1940, not because of a lack of food, but because of man. Removed by trapping and poisoning, there are none today. For dozens of important reasons, the natural processes involving the landscape, flora and fauna of the Yellowstone ecosystem, the requirements of the National Park Service's Organic Act and our natural resource policies, and for all that the Park means to each of us, wolves deserve to be restored to Yellowstone.

I spoke yesterday with Dave Mech, a friend with whom I spent time in Alaska darting and radio-collaring wolves, and the world's foremost expert on the species. He just returned from Denali Park in Alaska, where he, and approximately 300-400 park visitors watched in fascination as a pack of four wolves killed and fed on a Dall sheep along a roadside near the East Fork of the Toklat River. Visitor busses stopped one after another along the roadside.

A spectacle of wilderness was witnessed by hundreds. The female who bore pups this year emerged from her nearby den, walked between the vehicles and down to the river bottom where she fed on the carcass. She then returned to the roadside where she buried part of the entrails and returned to the den.

Visitors, according to Mech, were fascinated. They had a rare view of the interaction of elements in the natural food chain.

Such abstractions as howling by wolves, the role of predators, or a kill on the landscape, are increasingly of value to the public. More and more, these interest are becoming institutionalized in natural resource agency budgets and in management policy. The Congress continues to support fish and wildlife, endangered species, and other non-commodity resources that have been traditionally dominated by commodity outputs. Restoring wolves to Yellowstone is symbolic of such changes in future policies. .

In September, 1987, during the 100th congress, I introduced H.R. 3387, directing the National Park Service to restore wolves to Yellowstone National Park within three years. With that effort I attempted to bring exposure to direct political interference on the administration of our nation's prime natural treasures - the National Parks. The Park Service and the Fish and Wildlife Service are failing to protect their major charges - in this case, they are obliged to begin restoring the wolf to Yellowstone.

In September, 1988, I asked Chairman Yates to include in the Interior Appropriations \$200,000 for the Park Service to begin work on an Environmental Impact Statement for restoring the wolf to Yellowstone. The Senate struck the EIS language, but agreed

that "... return of the wolf to Yellowstone National Park is desirable" and asked for answers to four questions. On June 28, 1989, during the 101st session of Congress, I introduced H.R. 2786, directing the Secretary of the Interior to begin an environmental impact statement in compliance with the National to Yellowstone National Park and surrounding public lands consisting primarily of designated wilderness. In July 1989, an eight hour hearing was held on my bill in the House Interior Subcommittee on National Parks and Public Lands. In September, 1989, I again testified in front of Chairman Yates, asking that \$175,000 be appropriated for Yellowstone National Park to continue work on, and complete an EIS incorporating the results of the studies from 1988. The Senate inserted language prohibiting the Park Service from beginning an EIS incorporating the results of the studies from 1988. The Senate inserted language prohibiting the Park Service from beginning an EIS.

Notwithstanding the efforts of valiant leaders of the Park Service and Fish and Wildlife Service and their very excellent and positive report to Congress on restoring the wolf to Yellowstone; notwithstanding the long hours and effort put forth by members of the House and Senate and their staffers and Conservation groups; notwithstanding the considerable progress we have made on this issue we have witnessed a failure by public agencies entrusted with the natural and wildlife resources of this nation because members of the House and Senate have politically precluded them from doing their jobs as those

professionals have interpreted their responsibilities.

My legislation, H.R. 2786 and S. 2674 should not be necessary. Politics has been substituted for national environmental and wildlife policy.

Senator McCLURE. Thank you very much.

Are there any questions?

[No response.]

Senator McCLURE. If not, thank you very much. We appreciate your interest in the subject.

Mr. OWENS. Thank you.

Senator McCLURE. I might note parenthetically for the record that in the Canadian experience outside the park mentioned wolves can be taken either by hunters or by ranchers, which is not the case outside such a location here in this country.

Mr. OWENS. If I may respond to that, Mr. Chairman, that is, as you know, acceptable to me after recovery, so if the wolves were in as healthy a population in Yellowstone and the Yellowstone area as they are at Riding Mountain, I would have no objection to that.

Senator McCLURE. I understand your viewpoint. I do not share it, but I understand it.

Mr. Wallop.

Senator WALLOP. Jim, initially what does the Park Service think that the expense of this will be?

Mr. RIDENOUR. We think about \$300,000 per year.

Senator WALLOP. I might just ask you, then, a question, the answer to which I know. Are the biological and maintenance needs of Yellowstone satisfied at this moment?

Mr. RIDENOUR. I would say no.

Senator WALLOP. I mentioned in my opening statement one of my concerns, and I quote from the legislation. It says, "Management actions inside the park if wolves should become nuisance animals in visitor use areas or if they unduly affect the numbers of other endangered or sensitive species."

"Sensitive species" is a nebulous term. You have endorsed it. Would you define it?

Mr. RIDENOUR. I guess it would have to be that as the team defined it, it could be big horn sheep, it could be anything that we felt was being pushed toward a particular problem by a wolf.

Senator WALLOP. Once this gets under way, assuming that it does, which I am not, can you describe for me a scenario under which the Park Service would have sufficient political courage to stop it if they found serious problems emerging from it?

Mr. RIDENOUR. We control on a regular basis with the grizzly population different kinds of situations, and I would not see that program with the wolf being any different than—

Senator WALLOP. That is not exactly the nature of my question.

This is a population, the effects of which we have only been able to speculate about. They are projected effects from environmental impact statements, from the study, and from a variety of other things. It is an experimental population.

What happens if early on the experiment gives indication of going awry? Do you believe that you would have the political courage, you or a successor or anybody in the Park Service, would ever have the political courage to step up to the public and say we are going to take them all out?

Mr. RIDENOUR. If they became so disruptive, for example, within our own boundaries or even outside our boundaries, I think that would be our obligation.

Senator WALLOP. That is not my question.

Mr. RIDENOUR. Yes.

Senator WALLOP. It is your obligation. I understand that it is your obligation. I just do not believe that the politics would exist to do that, and I think if you were honest with me I do not think you could describe the set of circumstances in which you go to the New York Times and Congressman Owens and a bunch of other things and say this is terrible, we are going to take them out. They would say what about Riding Mountain National Park in Canada; they have wolves up there, and it works.

Mr. RIDENOUR. It would be difficult.

Senator WALLOP. I think that is right.

John, you gave an answer to a hypothetical proposition from Senator Bumpers which concerned me a little bit. Given the fact that it is hypothetical, it is pretty hard to answer under any set of circumstances, but he asked if some group of people were to go up to Canada and each of them get a male and a female and come back and you had 15 pairs in the park all of a sudden, would they be subject to the protection of the Endangered Species Act, and you said yes, you thought they would but you have to prove that they had come there unnaturally.

It would seem to me that if you woke up one morning and you found 30 wolves wandering around Yellowstone National Park and none had been there the day before, there is a certain presumption that would be more likely your obligation rather than to put the burden on your back of assuming that the tooth fairy brought them and that that was natural.

Mr. TURNER. Mr. Chairman, I appreciate that, and I apologize for the lack of clarity. I agree with you. They would come under the Endangered Species Act because it would be very difficult for us to prove that they got there other than naturally.

Senator WALLOP. It seems to me that it would be very difficult to prove that they got there naturally if they had not been there the night before and all of a sudden you had 15 pairs of them there.

Mr. TURNER. I think that would be everybody's assumption. I do not know if I can give you an answer. That is one I need to run by the lawyers. But I think a number of wolves showing up in Yellowstone one morning, where Federal agencies are involved it would be my reaction that we would have to protect them under the existing mandates of the Endangered Species Act because we would not have definite proof that in fact they came out of the back of a U-Haul.

I will provide a written response.

Senator WALLOP. To quote a famous American, the law is an ass. It makes no sense biologically.

Mr. TURNER. That is an important question that deserves some more research. Let me respond to you in writing.

[The information referred to follows:]

The following are our responses to the two issues expressed by you during the hearing on S. 2674 on September 19, 1990:

Issues: Wolves showing up suddenly in the Yellowstone Park Area and whether they would be protected by the Endangered Species Act.

Responses: The possibility of a surreptitious reintroduction to Yellowstone by members of the public is a matter about which we too are very concerned. In the event that wolf-like animals suddenly and mysteriously showed up in Yellowstone,

the U.S. Fish and Wildlife Service (Service) would be faced with two major questions of identity and origin: (1) are they pure wolves or wolf x dog hybrids (many people raise hybrids, and the possibility of these being released to the wild or escaping to the wild is a major concern), and (2) if they are pure wolves, did they arrive naturally by dispersing from Montana or Idaho or did someone release them; and, if released, are they from the wild or from captivity? To digress momentarily, the Service has already dealt with this issue in the two instances summarized below.

(1) A wolf was killed along a highway just north of Yellowstone Park in 1989. Examination of this animal revealed it to have feet with little wear on the toenails and pads, unusual horizontal cut marks on the front legs that was indicative of wire abrasions, and essentially no internal parasites. These data led the Service to conclude this was not a wild animal, possibly from a captive colony of wolves in the same general area. No one was prosecuted.

(2) During September 1990 the Service received reports of wolf-like animals being seen in the Boise National Forest of Idaho. Our biologists, together with Idaho Fish and Game Department and Animal Damage Control personnel, investigated immediately and learned that up to six animals were involved. The animals were behaving in a tame or semi-tame manner (i.e., coming within a few feet of people, which would have been extremely unusual for wild wolves). Suspecting these animals were something other than wild wolves, three were trapped. Indeed, when the animals were in hand it was obvious from their eye color, curled tails, and small feet that they were hybrids. They were subsequently destroyed and any surviving members of the group are being sought now and will be removed as well. Evidently these animals had been released to the wild by some irresponsible owner/breeder of wolf x dog hybrids.

At the present time, the best technique available for detecting wolf x dog hybrids is morphology (primarily skulls) and behavior. However, this becomes very difficult if the animal is mostly wolf. The genetic markers in dogs are probably identical to those in wolves, although other DNA techniques may identify special markers in some breeds of dogs that may allow detection of some types of wolf x dog crosses. Research to improve those techniques is in progress, and one of the Yellowstone studies sponsored by the Service and the National Park Service this year is intended to further develop those techniques.

How would we react if something like the above two cases occurred in Yellowstone? In the event that a group of wolves or canids with wolf characteristics suddenly showed up in Yellowstone, the Service and National Park Service would capture and examine some or all of the animals. They would immediately be taken out of the wild if they could be identified as anything but pure (and wild) wolves. If, upon capture, we were still uncertain of their identity, we would examine them as carefully as possible in the field and take blood and tissue samples to be sent for laboratory analyses. Suspect animals probably would be held until we received the results of those analyses. If field examination produced no indication the animals were anything but pure wild wolves, we would still collect blood and tissue samples, but would radio collar and release the animal(s) for further observation and monitoring. The newly developed radio capture collars might be used. Behavior as indicated by radio telemetry might shed further light on their identity and origin. If no evidence to the contrary became available, we would have to assume wolf-like animals in Yellowstone to be pure wolf and to have arrived there naturally, and afford them the full protection of the Endangered Species Act.

During the hearing you suggested that the very sudden (overnight) appearance of a large number of wolves (15 pairs) should be evidence in itself that they were artificially placed there, and thus they should not be subject to the protection of the Endangered Species Act. I understand your reasoning on this matter, and I believe it is safe to say that the more animals that show up, the greater our level of suspicion. Actually, I believe it would be difficult for an effort of that magnitude to go undetected. Acquiring 15 pairs of wolves (presumably from Canada) and transporting them to Yellowstone would be no small task, and one that might well come to our attention. Furthermore, if wild wolves were simply dropped in Yellowstone with no time provided for acclimation (being held in pens near the release site), most would probably try to return home. When captured and examined, they might show evidence of a previous recent capture. There are a number of other indicators that might be used to recognize such wolves as transplants, such as movements, group size, appearance, and parasite load. Therefore, in a practical sense, I feel it is improbable that the scenario you described would actually occur or would be successful. The release of 15 captive-reared pairs of wolves is another possibility. Such animals would have trouble hunting and might be recognizable by exhibiting little fear of people as in the case referenced above.

Although the indicators described above may tell us all we need to know, there is no guarantee that we would be able to examine one or more wolves from Yellowstone (again, the fewer showing up, the less suspicion of foul play) and determine that they did not get there on their own. As stated above, in the absence of that determination, the only reasonable course of action is to afford the animals protection under the Endangered Species Act. Any other course of action would almost certainly be litigated.

We find the possibility of an unauthorized wolf release in Yellowstone disturbing and realize that the longer we wait to restore the wolf, the greater the chance some unauthorized persons will try to do it for us. As you know, the probability of wolves getting to Yellowstone on their own is increasing as they colonize Montana (and possibly Idaho); the natural appearance of wolves would preclude introducing them as an experimental population. The only sure way of avoiding the kind of mess described above, thus maintaining control over the situation, is to have our biologists reintroduce wolves as an experimental population. That way we could: (1) ensure that only pure wolves and wild wolves were let into the wild, and (2) have the flexibility to manage the animals that come with the experimental population designation.

Issue: DNA analysis/wolf-coyote hybridization.

Response: In the hearings, reference was made to a study that showed evidence of wolves hybridizing with coyotes. I assume you were referring to a recent study of wolf and coyote mitochondrial DNA (mtDNA) that is receiving a great deal of attention. Results of the study are in a manuscript entitled "Introgression of Mitochondria DNA into Sympatric North American Gray Wolf Populations" that is scheduled to be published in the journal *Evolution* in early 1991. The senior author, Niles Lehman, is a student at the University of California, Los Angeles, and Dr. L. David Mech, a Service biologist in Minnesota, is among the six co-authors. A copy is being provided to the subcommittee.

It has been known for a long time that wolves, coyotes, and dogs were capable of interbreeding but that most interbreeding occurs in captivity. The Lehman study was the first to document wolves and coyotes breeding in the wild. Unfortunately, the findings of the research are being grossly misinterpreted in some quarters, and they were misinterpreted by the authors of the petition to delist the gray wolf. The Service, by the way, has reviewed that petition and has a finding in draft form. Our interpretation of the mtDNA study will be contained in the finding.

The study used recently developed techniques to examine mtDNA from wild gray wolves and coyotes in several areas of North America. Mitochondrial DNA is not to be confused with nuclear DNA, as it codes only for proteins used within the mitochondria of cells and it has no phenotypic expression outside the cell. Nuclear DNA, on the other hand, is responsible for all the animal's characteristics that we can see and measure. The method of inheritance of mtDNA is quite different from that of a nuclear DNA (a major point of confusion). Mitochondrial DNA is inherited from a female to her offspring, unchanged from one generation to the next. Whereas nuclear DNA is reduced by half each generation, mtDNA is passed on unchanged. Thus, a given form of mtDNA will persist in a population so long as the female line persists, and the frequency of a particular type of mtDNA in a population does not tell us how common hybridization is, only how successful a female line is. Furthermore, the presence of mtDNA does not say anything about the presence of nuclear DNA that may have come from the same source. If, for example, a male wolf and female coyote mate and produce pups that grow up and mate with wolves, all the animals from the second generation born from females of the first generation will carry coyote mtDNA, but their nuclear DNA would be approximately one-fourth coyote. Females in subsequent generations would have 1/8, 1/16, 1/32, and 1/64, etc., coyote nuclear DNA, although all would carry the mitochondrial DNA from that one mating. In view of this type of inheritance, one can see that examination of mtDNA is a very sensitive indicator of whether any hybridization has ever occurred; even a very few hybridization events can eventually become widely detected in the population. Coyote phenotypic traits from one of these rare (see below) hybridizations (from nuclear DNA) would be rapidly bred out of the wolf population, even though coyote mtDNA persisted. This appears to be what has happened.

The Lehman study found mtDNA of coyote origin in wolves from Minnesota, Ontario, and Quebec. The authors concluded that two hybridization events had occurred in Minnesota and at least four others in southern Ontario. There was no evidence of hybridization in areas west and north of Lake of the Woods, Ontario. Samples from eight to nine Montana wolves were examined, as were wolves from western Canada (source of the current Montana population). No evidence was found of current or past hybridization with coyotes in those areas.

In summary, we now have evidence that wolf x coyote hybridization has occurred in eastern North America. However, such hybridization appears to be very rare. Nuclear DNA (that which affects the appearance of the animal) can be rapidly bred out by backcrossing with pure wolves, and this appears to have happened. Wolves in Minnesota show no physical evidence of coyote traits (hundreds have been examined). The level of hybridization that has occurred there has had no discernible effect on the population and does not threaten the integrity of the gray wolf species. The mtDNA from wolves examined to date in the northern Rocky Mountain area has shown no evidence of any hybridization in their ancestry.

Senator WALLOP. I have a couple of other quick things. One, I would also say in support of Senator McClure, the Canadian authorities do make a recommendation that you proceed slowly since you do not know all the consequences, and that you deal with problems that are manageable and proceed a step at a time. In fact, that has been the experience to date.

The Wyoming Farm Bureau Federation contends that the Fish and Wildlife Service in Minnesota conducted a DNA analysis and confirmed that wolves and coyotes interbreed and create hybrids. Is that so?

Mr. TURNER. Mr. Chairman, as the frontier of genetics moves forward, it poses some interesting questions. It is my understanding that the mitochondrial DNA of wolves has shown somewhere in their linkage a long time ago a coyote connection, but it is a long time ago. I am not surprised by that. It is not showing up in the nuclear DNA.

What does that mean for management in this particular scenario? First, we do not find wolves hybridizing at this time in, say, the six States in the Lower 48 where we think we have wolves or in Canada.

Senator WALLOP. These experiments have been conducted, then?

Mr. TURNER. I am talking about wild populations. These are the responses my experts give. Coyotes and wolves are not interbreeding naturally.

Senator WALLOP. Have they conducted these DNA analyses?

Mr. TURNER. Yes. It is my understanding that there was a research that showed some——

Senator WALLOP. Could that report be made available to the committee?

Mr. TURNER. You bet. I will find the source.*

Senator WALLOP. Mr. Unger, one of your suggestions in your testimony was that you remove the delisting provisions and operate this reintroduction under 10(j), and you say the Fish and Wildlife Service can manage these problem animals.

As one who has grown up, I can tell you that the Fish and Wildlife Service is very good at all kinds of things, underfunded in almost everything, but totally unprepared to do something that is cross-wired with their basic mission in life—that is, predator control. They try with some sincerity, but it is not the successful thing from the standpoint of people who live on the other side of the multiple use concept. It is not a criticism; it is just a reality.

So one of the reasons why you will hear later expressed and you will hear it expressed from me and you see Director Turner trying

* The report "Introgression of Coyote Mitochondrial DNA Into Sympatric North American Gray Wolf Populations" was supplied and has been retained in the subcommittee files.

to deal with that is because it is contrary to their basic mission in life to remove animals, to kill animals; not that they do not, but it requires a hell of a lot of hoops to jump through before they do. In the meantime, your losses grow. I have no quarrel with why they operate the way they do. I am just aware that that is the way they do.

Most of us feel that some manner of delisting or the declaration of a nonessential population or some other kind of thing is important to the Fish and Game of Wyoming, which has expressed real concern about this. It is not only for the reason of hunting, but one of the reasons a lot of people go to Wyoming is to see game. The visual aspects of it are as important to our tourist industry as are the hunting aspects.

Jim, let me pin down just one further thing going back to the original set of questions. This reintroduction may classify wolves as experimental or nonessential and be designed to determine if a self-sustaining population can survive over the long term entirely within the park.

What happens if the conclusion is that they cannot, and what assurances do we have that the experiment will be terminated if that proves to be the case?

Mr. RIDENOUR. I think this is where it would be very important that we work with Fish and Wildlife and the State agencies as well to determine what, in fact, is success or failure and also at that same time to structure a definitive action that will be taken in either case.

I think it would be difficult for me to say what it would be here, but I think it is important that the States be involved in that decision along with Fish and Wildlife Service.

Senator WALLOP. Would we agree, though, that the word "terminated" means that the Park Service would seek out and eliminate the remaining wolves within the park?

Mr. RIDENOUR. We have not discussed that, Senator. I would be glad to do some thinking about that and figure out what the answer might be.

Senator WALLOP. Okay. I would appreciate that.

John, I know you have given some thought to these kinds of things and perhaps also so to the Department head. I wonder if you might be able to give not an official but the outlines of what a 5-year plan might be that would work in this case, including or not including the legislation, but just a process through which all of this would go so that the public would have some sense of what could be expected should we get under way in all of this. We are saying we are going to involve the public.

Would that be possible to arrange?

Mr. TURNER. Verbally, Mr. Chairman, or do you want that in writing?

Senator WALLOP. I think it would be helpful either as a position of the service or as a contemplated process.

One of the things that is dogging you right now which will surely be brought up by Carolyn Pesejeaux and others is how in the hell do we know what is going to happen? The public is entitled to this. One of the things that the Park Service is always talking about is how the neighbors outside the park affect what is outside the park.

It is a concern that is real and legitimate. So, too, is the concern of those who live outside of the park regarding the activities and effects of their decisions on their lives outside. That is what neighbors are about. It goes in both directions.

We really need to get a sequential concept so that there can be support, opposition, a choice amongst options that could be discussed.

Mr. TURNER. First of all, I would agree very strongly with your basic statement that the neighbors policy goes both ways. That is one thing that I am constantly harping on in the Service.

I think it would be possible, certainly from some of the discussions that John and I have had, to present to you just such a process, and it would probably be best laid out in some sort of chart form so that it is easily understood.

Also, that might be the kind of thing that you end up with in modifying through alternatives and an environmental impact statement process.

Senator WALLOP. If we could have that for the record, it would be helpful.

[The information referred to follows:]

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OUTLINE OF A PROPOSAL TO
REINTRODUCE WOLVES INTO YELLOWSTONE NATIONAL PARK

Introduction

This outline describes the U.S. Fish and Wildlife Service's (FWS) preliminary plan for the reintroduction of gray wolves into Yellowstone National Park (YNP). The proposal (proposed federal action) is to reintroduce wolves into YNP as a "nonessential experimental population," in an effort to establish a viable population of free-ranging wolves within YNP and to allow for flexible management activities of the experimental population outside YNP. Any further development and implementation of this plan would involve extensive coordination with the National Park Service (NPS), U.S. Forest Service (USFS) and affected States of Montana, Idaho, and Wyoming. Furthermore, this plan would be subject to the rulemaking process as outlined in Section 10(j) of the Endangered Species Act (ESA) and the Administrative Procedure Act (5 U.S.C. §553). Compliance with the requirements of the National Environmental Policy Act (NEPA) would also be required.

Background

Reintroduction of wolves as an experimental population into the Yellowstone area was identified as an objective to promote wolf conservation in the Northern Rocky Mountain Wolf Recovery Plan approved in August of 1987. Such a designation increases the flexibility of federal and state agencies to manage reintroduced individuals. Endangered species identified as part of an experimental population are treated as "threatened," a less restrictive designation than "endangered." Under the ESA, any experimental population must be geographically distinct from the "natural" populations of the species, and the release of the population must further the conservation of the species.

Under the ESA, the FWS is required to designate an experimental population through a notice-and-comment rulemaking process. This process would provide opportunity for public comment prior to issuance of a final decision. However, prior to publishing a proposed experimental population rule, the FWS plans to coordinate with representatives from NPS, USFS, and the states of Montana, Idaho, and Wyoming to prepare an implementation plan outlining the details necessary to accomplish a reintroduction. (A more detailed chronology is provided in the last section.)

Items to be addressed in the planning and rulemaking process

How to involve States and other affected parties in the project?

By regulation, FWS is required to consult with the appropriate State fish and wildlife agencies, local government entities, affected Federal agencies and affected private landowners in developing and implementing experimental population rules. To accomplish this, FWS proposes establishing a Yellowstone Interagency Wolf Work Group (Work Group) to include representatives from agencies such as NPS, USFS, and the wildlife management agencies of the states of Montana, Idaho, and Wyoming. The Work Group would

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be tasked with helping to formulate the experimental population rulemaking. The Work Group would work together to coordinate with FWS in the planning and implementation of the operation and development of the necessary criteria to judge the success or failure of the reintroduction.

What will be the boundaries of the experimental population area?

In determining the exact geographic boundaries of the experimental population area, FWS would examine the recovery needs of the wolves and the need for flexible management tools to deal with wolves which may wander outside YNP. Since the size of the experimental population area directly determines the degree of management flexibility allowable under the ESA, the area must be carefully delineated. FWS proposes designating YNP as the core recovery area within the experimental population area. Surrounding areas would likewise be evaluated and, if appropriate, designated as part of the experimental population area, but would be subject to more flexible management to control any wolves which may leave YNP. If surrounding areas are not included as part of the experimental population area, wolves from the experimental population found outside YNP would, by law, be treated under the more restrictive designation of "endangered" and management would be much more difficult.

Where would the wolves for introduction be obtained?

Suitable donor stocks exist in British Columbia and Alberta, Canada. Preliminary discussions with Canadian authorities indicate their willingness to provide wolves. Ideally, stocks for reintroduction should be obtained from an area as close as possible to YNP. The nearest Canadian population is in southern British Columbia.

Wolves that are accustomed to feeding on elk should be used. It might also be useful to take one pair from an area where bison are the main prey to see if they will feed primarily on bison in YNP. Wolves would not be captured near livestock production areas.

Who captures and relocates?

This part of the project would involve considerable coordination. The FWS and NPS would work closely with Canadian authorities in the capture (via live trapping or preferably helicopter darting) and the transport of wolves. FWS would seek the assistance of the Animal and Plant Health Inspection Service (APHIS) to insure the health of imported wolves and the commitment of the NPS for the construction of temporary holding facilities within YNP and for the care, maintenance and proper acclimation of wolves while being held.

How many wolves will be released?

Preliminary plans are to release six pairs of wolves. Two pairs would be placed in adjacent pens at each of three release sites to minimize logistical problems. In the event of some mortality during and after the second year, more pairs would be added if the number in the wild were to drop below three pairs. Six pairs represent the maximum number that can

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be safely maintained for an extended period in widely separated acclimation pens in remote parts of YNP in the winter.

Six pairs, selected as described below, should provide sufficient genetic variability upon which to found a population. (The Isle Royale population has survived for at least 40 years even though it was founded with one pair). If genetic problems are identified in YNP in the future, additional wolves from Canada could be added to the population.

When would the wolves be released?

A preliminary analysis indicates that for the best results the wolves should enter the holding pens by late November to early December. During the ensuing winter they should be fed carcasses of wild elk and/or bison located in the release area. Ideally, it is hoped that the females would become pregnant while in the holding pens. If this is the case, one of the pairs at each site would be released in either late winter or early spring prior to whelping and the other pair would be released after whelping has taken place to decrease antagonistic interactions between the pairs. At this time of year the wolves should be able to find abundant carrion and winter-weakened animals in the area surrounding the release site. However, additional carcasses would be provided in the vicinity of the release site to enhance the probability of wolves remaining in the general area.

What is the estimated cost?

The probable cost of the operation is \$450,000 per year.

What happens when wolves leave YNP?

Through rulemaking, the FWS plans to incorporate to the maximum extent possible State regulatory provisions (including take) for wolves designated as part of an experimental population outside YNP. Therefore, each State agency must have the legal authority to manage wolves and should prepare a management plan for wolves within its area of jurisdiction. The management program that the States would implement could be incorporated into the experimental population rule.

Who assumes the costs of management activities?

This item needs further investigation and coordination and would be a topic to be addressed by the Work Group. Negotiations are likely with States to determine the role they will play in financing management activities should they play a more dominant role in wolf management outside YNP. Several mechanisms in the ESA (e.g. §6, §15) and the Pittman-Robertson Act may provide an opportunity for federal funding to assist the States with wolf management activities. It is assumed that since Wyoming and Montana have agreements with the Animal and Plant Health Inspection Service/Animal Damage Control (ADC) that cover everything except grizzly bears, some costs would accrue to ADC.

DRAFT**Who will compensate livestock owners for wolf depredation on domestic stock?**

The FWS will encourage Defenders of Wildlife to continue its program outside YNP to assume the financial responsibility of compensation for depredation. Defenders of Wildlife has indicated a willingness to conduct its compensation program outside YNP until delisting occurs.

What will be the criteria for success?

Criteria would be developed by the Work Group to judge the success of the reintroduction. Items to be examined would include the sustainable number of packs that could be maintained within YNP, the probable extent of depredations on livestock, and the effects upon native ungulate populations under State management. While such criteria will be difficult to develop, FWS believes that through negotiation, acceptable criteria could be generated. Examples of the type of criteria which could be established include:

Wolves

- o The number of wild "viable" packs living within YNP at the end of 5, 10, 15, 20, and 25 years.
- o The number of wild "viable" packs living within YNP needed to accomplish full recovery.

Prey Populations

- o The maximum allowable percentage of decline, directly attributable to wolf predation, in the populations of resident and migratory ungulate species under state management at the end of 5, 10, 15, 20, and 25 years.

Livestock

- o The maximum allowable percentage of depredation, directly attributable to wolves, at the end of 5, 10, 15, 20, and 25 years.

FWS would reassess the effort to determine if new approaches should be tried or the experiment terminated if, for example, the target numbers of free-ranging wolves in YNP are not attained, wolves become unmanageable outside YNP, unacceptable declines occur in the native ungulate populations, or unacceptable depredations on livestock occur.

What are other alternatives for wolf recovery?

Aside from designating wolves as an experimental population, wolves could be legally restored to YNP by three other means: natural dispersal from Idaho or Montana (no-action alternative), legislative mandate, or "permitted release" (release without designation as an experimental population). All alternatives would be addressed in detail in the proposed rule and NEPA analysis, however the former and latter means would necessitate treatment of wolves under the more restrictive designation of "endangered."

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A proposed chronology of events

- Present -- December 1991: Establish Work Group with affected and appropriate parties such as representatives from NPS, USFS, and the states of Montana, Idaho, and Wyoming to prepare an implementation plan outlining the details necessary to accomplish a reintroduction. Subsequent to this, begin preparation of any proposed experimental population rules, management plans, and NEPA analysis including the scoping process to identify the preferred alternative. The scoping process would likely involve public meetings, workshops, and newspaper announcements in order to identify the range of issues to be addressed in the NEPA process.
- January 1992 -- March 1992: Draft proposed experimental population rule, management plan, and NEPA document.
- April 1992: Publish a proposed experimental population rule in the Federal Register. Issue draft management plan and draft NEPA document.
- May 1992 -- August 1992: Accept public comment for 120 days.
- September 1992 -- January 1993: Review public comment and finalize the above documents.
- February 1993: Issue final NEPA document and management plan. Publish final decision on population rule in Federal Register.
- March 1993 -- October 1993: If a favorable decision is reached, proceed to capture wolves and prepare holding facilities.
- November 1993 -- December 1993: Introduce wolves into holding facilities.
- January 1994 -- April 1994: Maintain wolves in holding facilities and begin release.
- April 1994 -- : Begin monitoring effort. If after 5, 10, 15, 20, or 25 years, the experiment is determined to be a failure, FWS would publish in the Federal Register a proposal to terminate the experiment, accept public comment, and make a final decision to be published in the Federal Register.

Mr. TURNER. Mr. Chairman, let me just echo that I believe that it is absolutely mandatory that we come up and provide you with adequate information and work with you on some kind of process and plan which has some assurance, predictability and guarantees to answer those valid questions.

Just a couple comments on questions you asked. I would agree with your basic assumption that the Fish and Wildlife Service is perhaps not an adequately effective agency in predator control as it relates to some interests. We do a lot of predator control on our own units when it is in accord with our own purposes. Whether it was adequate or not, we have taken 11 wolves in the last 3 years in Montana to address predation in Senator Burns' State.

Then the other comment I would like to make regards numbers of pairs, just because we discussed it in depth. Our ideas on six pairs were actually pretty close to Senator McClure's idea. It was in three release locations. We introduced, I believe, 15 red wolves in the Carolinas. We immediately lost 50 percent of them to things like alligators and pickup tires and so forth, so we expected a pretty moderately high mortality initially.

Senator WALLOP. Yellowstone's alligators are much more benign. [Laughter.]

Mr. TURNER. Then we were thinking that if we slipped below three pairs, as Senator McClure said, that we would replace; but only if we slipped below three pairs. So I think our numbers were in fact pretty close to what Senator McClure was talking about, cautious but something with some higher chance of success.

Senator WALLOP [presiding]. You will see it because I will forward to you the concerns of the Wyoming Fish and Game Department for costs to them. There are clearly going to be costs to people outside of the boundaries of the park. Those need to be addressed, and they need to be addressed by the people who are putting in place a predator population that does not now exist and, therefore, affecting seriously the lives of people in ways in which they would not be affected were it not for the fact of a major Federal action, which is the introduction of the predator population.

Senator Burns.

Senator BURNS. Thank you. I have just a couple of questions.

I wonder, Mr. Ridenour, is there any possibility of getting some of these rascals in Indiana?

Mr. RIDENOUR. I do not know whether we have the kind of land that will tolerate them. We have plenty of coyotes now which we did not used to have.

Senator BURNS. Well, you have some chickens down there, and they can chew around on them pretty good. I just wondered. It seems like around national parks and the Rocky Mountain area everybody comes out there and looks at all the wide open spaces and says this is a good place to put something that is not even indigenous to the Rocky Mountains. The elk was not indigenous to the mountains. It was forced into the mountains because it was a prairie animal at one time.

I have just a couple of questions. The cost of the \$300,000, is that a year to maintain that? How did you come by that figure?

Mr. RIDENOUR. Yes, that is an annual cost.

Senator BURNS. You will come to Congress asking for additional funds for that?

Mr. RIDENOUR. Yes, sir.

Senator BURNS. The Minnesota experiment that was talked about by Congressman Owens from Utah, it is my understanding that they are out of money to pay for predation costs. Is that correct? Do you have any knowledge of that?

Mr. TURNER. Mr. Chairman, I think you are correct. I think the State fund that was available for compensation was running \$30,000 or \$40,000 per year. The predation was coming from 1,500 to 1,700 wolves, and somewhere on a 3-year average they were taking an annual take, the highest in recent years, 32 cattle, 41 sheep, and 1,200 turkeys. That was the yearly average.

I think you are correct that the State fund ran out.

Senator BURNS. I want to get to our next witness because I think he has some very good words for us and this committee.

Also along the same lines of questioning, Mr. Turner, what specific action has the Fish and Wildlife Service taken in relation to the Farm Bureau petition to delist the wolf? Have you taken any action on that at all?

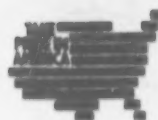
Mr. TURNER. Mr. Chairman, I would have to respond to that in writing. We are obligated to look at all those petitions. We have some time to review it to see whether the petition has validity, but we are required to respond to those. I will find out for the committee the status of that petition.

[The information referred to follows:]

INSP: Page 85, line 15



United States Department of the Interior

FISH AND WILDLIFE SERVICE
WASHINGTON, D.C. 20240ADDRESS ONLY THE DIRECTOR
FISH AND WILDLIFE SERVICEIn Reply Refer to:
FWS/DES

OCT 19 1990

Memorandum

To: Assistant Director - Fish and Wildlife Enhancement

From: ~~Acting~~ Chief, Division of Endangered Species *John Rappaport-Cole*

Subject: Administrative 90-day Petition Finding for the Gray Wolf (Action Required)

The attached memorandum from Region 3 makes a 90-day finding (negative) pursuant to Section 4(b)(3) of the Endangered Species Act for a petition to delist the gray wolf (*Canis lupus*) from the endangered species list. Region 3 has the lead responsibility for this species. Coordination with the Regions 1, 2, 4, 5, 6, and 8 occurred prior to making this finding. The Division has examined the finding for policy adherence and noted no problems. I recommend that you exercise the delegated petition finding approval authority for expeditious completion of this finding.

The draft Federal Register notice to announce the finding will be forwarded later through the usual package surname route.

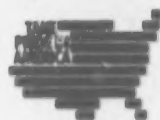
Attachment



ADDRESS ONLY THE DIRECTOR
FISH AND WILDLIFE SERVICE

United States Department of the Interior

FISH AND WILDLIFE SERVICE
WASHINGTON, D.C. 20240



FWS/AFWE-SE

Memorandum

To: Director (AFWE/ES)
From: Regional Director, Region 3
Subject: Administrative Ninety-day Petition Finding to Delist the Gray Wolf

Section 4(b)(3) of the Endangered Species Act of 1973, as amended, requires that within 90 days of receipt of a petition to list, delist, or reclassify a species, or to revise a critical habitat designation, a finding be made on whether the petition presents substantial information indicating that the action may be warranted, and that such a finding be promptly published in the Federal Register. The following petition requires a 90-day finding pursuant to Section 4(b)(3). With your concurrence, this memorandum constitutes the finding for the administrative record for this petition.

The petition was submitted by the Farm Bureau Federations of Wyoming, Montana, and Idaho. It is dated July 11, 1990, and was received by the Service on July 16, 1990. The petition requests that the Service remove the gray wolf from the Federal list of Endangered and Threatened Wildlife and Plants due to evidence that the species is hybridizing with other canids, especially coyotes.

The petition states that this hybridization is current, frequent, and widespread. The petition includes a list of literature references to support the discussion of wolf hybridization.

The following two issues are put forth in the petition as the consequences of hybridization:

1. The gray wolf is not a species, and thus is not eligible for listing and protection under the Endangered Species Act;
2. The Service is unable to distinguish "pure" wolves from hybrid wolves so it is impossible to effectively carry out a program designed for the eventual recovery of the gray wolf.

The Service has reviewed the petition, the literature cited in the petition, other available literature and data, and consulted with wolf experts and molecular genetic analysis researchers. After evaluating all the information at our disposal, the Service finds that the petition does not present substantial information indicating that the requested action may be warranted. The following points summarize the reasons for this finding:

1. Neither the submitted data, nor other available data, provide substantial support for the occurrence of widespread hybridization between United States gray wolves and other wild canids.

The petition provides twenty literature references, with the petition text including information from additional publications that are not referenced. The Service has reviewed the references, along with other data, to determine their content, significance, and relevance to the petitioned action. With one exception (Anonymous 1990, discussed below) the Service views the data presented in the petition as subjective, circumstantial, and anecdotal. Some of the references contain old data (Anonymous 1927; Audubon and Bachman 1851; Gier 1975; Murie 1940; Weaver 1978) that are not relevant to the current situation. Several are from studies conducted outside of the United States (Stansfield 1970) or beyond the current U.S. range of the gray wolf (Henshaw 1982) and are of limited value in evaluating the status of gray wolves listed as threatened and endangered in the United States. Several present data dealing with hybridization in other canids (Freeman 1976; Mech 1970) or between canids in captivity (Nowak 1979; Theberge 1981). Such data represent only speculation and provide no hard data useful in evaluating hybridization in wild populations of gray wolves. The remaining references (Anonymous 1986; Anonymous 1988; Chiarelli 1975; Fuller 1989; Mayr 1970; Robinson 1989; Seal 1975; U.S. Fish and Wildlife Service 1987) deal only with background information (e.g. wolf pack behavior, molecular genetic analytical methodology, hybridization theory) and do not address wolf-coyote hybridization.

In contrast to these references, several studies and unpublished data from the many gray wolves captured in research and depredation control programs contain no evidence of wolf-coyote hybridization in Rocky Mountain wolves or in the U.S. Great Lakes wolf population in recent decades. These researchers, without exception, have reported populations of U.S. gray wolves that do not exhibit hybrid characteristics and are phenotypically pure wolves (Fritts, U.S. Fish and Wildlife Service, pers. comm.; Fritts and Mech 1981; Fuller 1989; Mech, U.S. Fish and Wildlife Service, pers. comm.; Mech and Frenzel 1971; Nowak, U.S. Fish and Wildlife Service, pers. comm.; Van Ballenberghe 1977; Van Ballenberghe et al 1975).

2. The petition misinterprets recent mitochondrial DNA (mtDNA) data by considering mtDNA to be equivalent to nuclear DNA.

The petition contains a single reference (Anonymous 1990) that bears directly on hybridization in the existing U.S. wolf population and contains recent and quantitative data. That reference is to a three-sentence article that appeared in the February 1990 Endangered Species Technical Bulletin (incorrectly cited in the petition as the April 1990 issue). That article reported that coyote mtDNA was found in more than 50 percent of 72 gray wolves sampled from Minnesota. The petition quotes the three sentences and adds several pages of discussion of the presumed biological implications of this finding. The petition clearly, but erroneously, equates mtDNA with nuclear DNA (the DNA found in the nucleus of cells) and bases its conclusions upon that error. Mitochondrial DNA differs substantially from nuclear DNA in both its function and in its method of inheritance.

Mitochondrial DNA does not occur in the cell nucleus and does not function in the production of observable (or phenotypic) traits. It codes only for proteins made and used within the mitochondria of individual cells. It does not code for the inherited physical and behavioral characteristics of the organism upon which natural selection can act. It is solely nuclear DNA that carries the genetic codes for the physical and behavioral traits of the offspring.

Mitochondrial and nuclear DNA are inherited differently because mtDNA is not located in the cell nucleus. Male sperm are essentially mobile nuclei carrying half of the male's genetic code in the nuclear DNA; sperm carry no mtDNA. Female eggs are complete female cells, including mtDNA outside the nucleus, and with nuclei containing half of the female's genetic code in the nuclear DNA. At fertilization the hybridization of mtDNA cannot occur because the sperm lacks mtDNA to join with the mtDNA of the egg.

These differences between mtDNA and nuclear DNA have several very significant implications. First, a developing embryo contains only its mother's mtDNA; none is inherited from its father. In contrast, nuclear DNA is passed on by both parents, and the nuclear DNA carried by an embryo originates equally from both parents. Second, once new mtDNA is introduced into a population, it (or possibly a mutated version of it) will persist indefinitely as long as that matriline (i.e., an unbroken series of female descendants) exists. The action of natural selection will modify the frequency of organisms having particular physical and behavioral traits; this also will change the frequency of the causative nuclear DNA in a population by changing the frequency of carriers of that nuclear DNA. However, mtDNA is not phenotypically expressed and is largely unaffected by natural selection. It can persist in a population despite the total elimination of nuclear DNA that originally came from the same source.

Nuclear and mitochondrial DNA differences mean that mtDNA data cannot be treated like nuclear DNA data when one is studying hybridization. For example, over a number of generations the frequencies of particular types of mtDNA in a population have no reliable correlation with the number of hybridization events, their frequency, or their timing. Further, the existence of a type of mtDNA in a population cannot be used to predict the presence or frequency of nuclear DNA that may have come from the same source.

The cited mtDNA data resulted from a recent study (Lehman, et al, in press) of the occurrence of coyote mtDNA in gray wolves throughout much of North America. The study used recently developed techniques and is the first to look at mtDNA in wild gray wolves, so the results of the study may be subject to future reinterpretation. Thus, the findings should not be viewed as conclusive until the data are expanded and replicated in additional studies. However, a reasonable interpretation of the mtDNA data, as it relates to this petition, is as follows:

(a) In certain areas of North America, male wolves have mated with female coyotes in the past, leading to exchange of nuclear and mtDNA. Within the U.S., the data indicate that two wolf-coyote hybridizations have occurred in Great Lakes area wolves, and no hybridizations in Rocky

Mountain wolves. The Lehman, et al, study shows that a larger number of hybridization events (at least an additional four) have occurred in southern Ontario wolf populations, and there is no mtDNA evidence that wolf-coyote hybridization has occurred in Canadian wolves west of Lake of the Woods, Ontario.

(b) Due to the maternal inheritance of mtDNA, coyote-type mtDNA passed on in wolves from these hybridization events is not "bred out," or diluted, over time in the recipient wolf population. It is passed on from a mother to her offspring in its entirety (subject to normal mutation), and its frequency depends solely upon the survival and spread of the matriline in the population. In contrast, any nuclear DNA received from coyotes can be "bred out" by natural selective pressures over succeeding generations, and this appears to have happened in the recipient U.S. wolf populations. There are no data showing phenotypic (morphological) expression of coyote traits in U.S. gray wolf populations. The study suggests that the female offspring from past hybridizations backcrossed with pure male wolves, and their offspring did the same. These backcrossings would produce rapidly decreasing proportions of coyote nuclear DNA in individual wolves, while maintaining the entire mtDNA complement. Thus, coyote traits from the coyote nuclear DNA would rapidly disappear from the wolf population, even though the mtDNA persisted.

(c) The coyote-type mtDNA found in Minnesota and Michigan wolves has diverged, via mutations, from the presumed coyote-type from which it originated. The extent of divergence, coupled with the chronology of coyote range expansion, indicates the two U.S. hybridization events occurred at least 100 years ago (Lehman, et al, in press) significantly earlier than the southeastern Ontario hybridizations, where the coyote-type mtDNA in wolves remains identical to mtDNA found in sympatric coyotes. This agrees with the existing phenotypic data which show possible coyote traits (i.e., smaller size in the "Tweed type") in southeastern Ontario and Quebec wolves, but no evidence of coyote traits in U.S. wolves.

In summary, the mtDNA study (Lehman, et al. in press) referenced in the petition supports the hypothesis of very infrequent past hybridizations between U.S. wolves and coyotes in the Great Lakes area. The mtDNA data also show a complete absence of hybridization between wolves and coyotes west of the 95th meridian (roughly where the Manitoba-Ontario border meets the U.S. border) even where coyotes are abundant in wolf range. The data do not provide any evidence of the current presence of coyote nuclear DNA in U.S. wolves, and the study provides a likely scenario for the rapid elimination of coyote nuclear DNA following a hybridization occurrence. The study does not provide any evidence of coyote phenotypic traits persisting in U.S. wolves.

3. The Service is not permitted to consider the probability of successfully recovering a species when making a decision to list or delist a species.

The petition presents the argument that if the Service is unable to distinguish "pure" wolves from hybrid wolves an effective recovery program cannot be carried out for the species. In contrast, Section 4(a)(1) of the Endangered Species Act specifies the criteria to be used in designating

a species as threatened or endangered. The probability of achieving successful recovery of a species is not a factor the Service can consider when making a listing or delisting decision. Thus, the potential difficulty the Service might encounter in trying to distinguish "pure" wolves from possible hybrids is not a relevant factor in any decision to list or delist the gray wolf.

4. The best scientific and commercial data available support continued listing for the gray wolf.

The Service is required to use the best scientific and commercial data available when making a listing/delisting decision. As discussed above, the scientific data supporting hybridization in U.S. wolves currently came from a single study. That study suggests past, infrequent hybridizations, but provides no support for current and/or widespread hybridization in U.S. Great Lakes wolf populations. It provides strong support for the absence of wolf-coyote hybridization in Rocky Mountain wolves in the U.S. and Canada. The remainder of the relevant scientific data show that current U.S. wolves lack coyote phenotypic traits.

Reasonable caution, an understanding of the classic scientific method, and the Endangered Species Act itself all argue for a conservative approach in applying new data and methodologies to the delisting of endangered and threatened species. The Lehman, et al., study raises important questions that should stimulate further investigation but should not be considered strongly supportive of a significant change in listing and protection for an endangered and threatened species.

It is incumbent upon the Service to avoid a possibly premature and unwarranted removal or relaxation of protection for a listed species. Given the current "state of the art" of DNA analysis and interpretation in wild canids, the Service must adopt a conservative approach in the absence of other substantial data supporting delisting of the gray wolf.

Finding: On the basis of the best scientific and commercial information available, the Service finds that this petition does not present substantial information that the requested action may be warranted.

The Fish and Wildlife Service regulations (50 CFR Part 424.14) define "substantial information" as "that amount of information that would lead a reasonable person to believe that the measure proposed in the petition may be warranted." The information supplied with the petition to delist the gray wolf clearly does not meet that standard.

The Service finds that the petitioner has not presented substantial information indicating the requested action may be warranted. This decision is based on scientific and commercial information contained in the petition, referenced in the petition, and otherwise available to the Service at this time.

A notice announcing this petition finding for publication will soon be submitted through the normal surname route.

Approved: Ralph O. Magnusen Date: 10-26-90

Disapproved: _____ Date: _____

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Senator BURNS. I think the answer would be yes in the case of Mr. Turner, but I would ask Mr. Ridenour and Mr. Unger. Have you ever seen a wolf kill on domestic livestock, either sheep or cattle?

Mr. UNGER. I have not.

Mr. RIDENOUR. I have seen coyote kill but not wolves.

Senator BURNS. John, I think you have, have you not?

Mr. TURNER. I must confess I have seen photos but I have not seen one as you have in the flesh.

Senator BURNS. Well, it is a very demoralizing experience, and I think that is the concern of most of us. I have some concern, and basically here is my concern. I guess I have no problem with the wolf being reintroduced into our park areas and maybe some recovery areas, but this animal has already displayed that they will not stay there. They will not stay there. They will range, and their range is a long way.

So with this legislation I am sort of caught between a rock and a hard place, to be very honest with you, because of the terrific damage that this animal can do not only to our wildlife but also to our domestic animal production which is the basis of a good part of our economy in the State of Montana.

So the Canadian experiment offers no hope because the animal is not listed in Canada. They can shoot them. They can even shoot them in their parks. So their control is a lot tighter.

With the experiments that you have done with DNA, I am just wondering if we are reintroducing an animal that probably never was the species that we think we are protecting. I would also like to see the reports of that because I know what can be done with experiments in genetics.

I have no more specific questions for you gentlemen. You have a terrific job on your hands, and I can appreciate that. You are not like Saddam Hussein, who is between a rock and a hard place.

That is all the questions that I have, and thank you for coming today. We appreciate your testimony.

Senator WALLOP. I would like to thank the panel and tell you there is no reason for you to remain unless you are overly fascinated by what comes after.

The next witness is Mr. Cool, Montana Department of Fish, Wildlife and Parks.

I would say to Mr. McNamee that I understand you have an airplane to catch. We will try to get you up as quickly as we can. I would also say Senator Burns has a pressing appointment that has to be accommodated as well, so we will try to do this witness as quickly as we can and get to Mr. McNamee so that you can catch your airplane.

Please proceed, Mr. Cool.

STATEMENT OF K.L. COOL, DIRECTOR, MONTANA DEPARTMENT OF FISH, WILDLIFE AND PARKS

Mr. COOL. My name is K.L. Cool, and I am Director of the Montana Department of Fish, Wildlife and Parks, and today I am representing Montana Governor Stan Stevens and the State of Montana. Governor Stevens has asked me to express his sincere appre-

ciation to Senator McClure for his commitment and courage in raising the issue of wolf management to this level of visibility. While we have some reservations about S. 2674, we commend Senator McClure for his approach and his positive effort toward problemsolving on a major conservation issue.

Mr. Chairman, I will reduce and delete from my testimony those things that are redundant from previous witnesses. Beyond that, I would ask that the written testimony provided to the committee be entered into the record.

Senator WALLOP. It will be in full.

Mr. COOL. Thank you.

Montana believes that the Endangered Species Act for the most part is good conservation legislation which is necessary to prevent avoidable extinction of species. While the fish and wildlife conservation and recovery programs of this Nation are outstanding, they are, as we have heard today, not perfect. Mistakes are sometimes made. Such a mistake was the decision to use the Endangered Species Act to address range expansion and repopulation of areas by the gray wolf.

The gray wolf is legally but not biologically threatened or endangered. The complex procedural requirements of this act focus on wolf range expansion, and that is unnecessary. The attention and resources focused on the wolf compete and drain limited Federal dollars and energy needed to keep truly endangered species from extinction.

Governor Stevens believes it is the responsibility of the State to manage these resident wildlife species, and he includes wolves in that responsibility. We endorse the specific principles and provisions of S. 2674 which would move the program in that direction, but the governor wants to make it clear that the State of Montana does not advocate the reintroduction of wolves anywhere along Montana's borders. If, however, the U.S. Congress mandates such a reintroduction, we in Montana will seek authority to manage wolves residing in or entering into our State.

The principle of S. 2674 that we find of particular value is found in section 5, and this is where we will disagree with a number of previous speakers. Here, Congress would determine that the gray wolf is determined not to be threatened or endangered within the meaning of the Endangered Species Act, and we support that.

In fact, given the other tools available at both the State and at the Federal level, there is no need to continue the listing of wolves in the designated core recovery areas as is provided in S. 2674. We have some genuine concerns about these arbitrary boundaries of the recovery areas that are embodied in the bill. Simply put, wolves and other wildlife will not remain in these arbitrarily designated recovery areas, and I would like to cite an example.

Eighty percent of the elk and most of the deer that seasonally inhabit the magnificent Bob Marshall Wilderness Complex in Northwestern Montana migrate from that complex outside and winter on wintering areas owned by the State wildlife agency and by private landowners. The wolves will go with them. This fact requires that we address the definition of the phrase "wolf habitat."

Recovery of an endangered species generally focuses on protecting critical habitat, and we usually think of habitat as a physical

place. Wolf habitat is instead the prey animals needed to sustain this predator. While prey is fundamental to the wolf, the Federal Endangered Species Program commits nothing to the production, maintenance or the enhancement of the prey base as it is found in Montana. Make no mistake, wolf recovery will impact our game populations and our livestock industry.

It is not Montana's intent to eliminate the wolf. It is important for the committee to understand that. With or without passage of this legislation, Montana would provide protection and management of wolves just as we have provided protection and management of the grizzly bear and other species. Our laws allow flexibility needed to manage and recover a species as part of our resident wildlife management program. They also provide a permitting process for the removal of animals which may be damaging property or threatening human health and for regulated animal harvest in the context of sound wildlife management principles.

At times, there seems to be innuendo here suggesting that States are not capable of adequately managing their wildlife resources. The fish and wildlife of Montana are offered as direct rebuttal. In the 1930's Montana's big horn sheep were reduced to remnant herds. Today Montana has 34 distinct populations totaling between 5,000 and 8,000 animals.

A 1924 antelope population of 3,000 animals is today in excess of 100,000. Moose were once believed extinct in the Rocky Mountains south of Canada. Today Montana has between 8,000 and 11,000 of these animals.

Our elk population, once nearly decimated and found only on the prairie, now exceeds 100,000 animals.

None of these recovery successes required the help of the Endangered Species Act. Their recovery resulted from a commitment of Montanans, of our sportsmen and our State wildlife agency. The fish and wildlife abundance of Montana today is the product of decades of systematic and comprehensive conservation. That system includes predators as well as prey. For example, the mountain lion is as important as the deer. We are and manage both, and both are abundant.

In addition, Montana's grizzly bear population is the largest in the contiguous 48 States. Montana began protecting and managing the grizzly as a game animal a half century before there was an Endangered Species Act. It is no accident that our grizzly population has met or exceeded the goals established in the recovery plan every year since it was drafted in 1982. However, although we can document this conservation achievement, it is a fact that this bear still remains listed.

The State is also capable of managing the wolf under the provisions of our Montana Nongame and Endangered Species Act. We listed the wolf in 1975 in this act. There is a fundamental logic underlying the principle that an agency managing the resident wildlife population should have both the authority and the flexibility to manage a primary predator like the wolf. The wolf's listing under the provisions of the Federal Endangered Species Act is not allowing that to happen. There are really only two options which will adequately provide for wolf management. They are: (1) remove the wolf from the list of federally endangered species and let us

manage it under our State Endangered Species Act—we have the legislation to do that; or (2) amend the Endangered Species Act through a legislative compromise similar to Senator McClure's S. 2674.

Montana is capable of managing the wolf under our Montana Nongame and Endangered Species Conservation Act. We agree with the State of Wyoming that a program of fiscal or financial incentives to help States accomplish this would be helpful and probably necessary. Senator McClure's bill correctly perceives that States can do a better job if wolf management is pursued under less stringent requirements than those of the Endangered Species Act.

Wolves need management not as an exception but as a component of a comprehensive wildlife management system. It is our hope that this body will be responsive to that perception.

Finally, if Congress moves forward on this or any other wolf recovery plan, Governor Stevens requests that field hearings be held in Montana. The issue of wolf recovery has provoked strong and diverse opinions among Montanans. We encourage you to come and listen to the opinions of those who will be directly affected.

Thank you for allowing the State of Montana to express its concerns.

[The prepared statement of Mr. Cool follows:]

**Montana Department
of
Fish, Wildlife & Parks**



**TESTIMONY By K. L. COOL, DIRECTOR
MONTANA DEPARTMENT OF FISH, WILDLIFE & PARKS**

**NORTHERN ROCKY MOUNTAIN GRAY WOLF
RESTORATION ACT OF 1990
S. 2674**

**Before the U.S. Senate Committee on Energy and Natural Resources
September 19, 1990**

Senator Johnston and members of the committee, my name is K. L. Cool and I am the director of the Montana Department of Fish, Wildlife & Parks. I am representing Montana Governor Stan Stephens and the State of Montana. The Governor expresses his regrets that he could not personally attend and assures you that he and the State of Montana are very interested in the issue of wolf reintroduction and wolf management.

From our sportsmen to our livestock producers, no wildlife issue has the emotional charge and potential for polarization that the wolf brings to our state. With that in mind, Governor Stephens has asked me to express his appreciation to Senator McClure for his commitment and courage in raising the issue of wolf management to this level of visibility. While we have some strong reservations about S. 2674, we commend Senator McClure for his approach and positive effort toward problem solving on a major conservation issue.

Montana believes that the Endangered Species Act (ESA) for the most part is good conservation legislation which is necessary to prevent avoidable extinction of species.

While the fish and wildlife conservation and recovery programs of this nation are outstanding, they are not perfect. Mistakes are sometimes made. Such a mistake was the decision to use the ESA to address range expansion and repopulation of areas by the gray wolf, which is legally but not biologically threatened or endangered. The complex procedural requirements this act focuses on wolf range expansion are unnecessary. The attention and resources focused on the wolf compete and drain the limited federal dollars and energy needed to keep truly endangered species from extinction.

Therefore, in 1987 Montana adopted a policy of nonparticipation in the wolf recovery effort until changes to the ESA were made which would allow the management flexibility we need to effectively recover this species as part of our comprehensive resident wildlife management program.

Governor Stephens believes it is the responsibility of the state to manage resident wildlife species, including wolves. We endorse the specific principles and provisions of S. 2674 which would move the program in that direction.

But the Governor wants to make it clear that the State of Montana does not advocate the reintroduction of wolves anywhere along Montana's border. If, however, the U. S. Congress mandates such a reintroduction, we in Montana will seek authority to manage wolves residing in or entering our state.

Montana is already developing a new policy on participation in the management of wolves currently migrating into our state. That policy change is predicated by the presence of wolves and the need for wolf management within the context of a comprehensive resident wildlife management program.

The issue before this committee today is S. 2674, legislation which seeks to strike a compromise between those who wish the wolf to remain listed wherever it occurs and those who wish to see the wolf fully delisted.

The principle of S. 2674 that we find of particular value is found in section 5, where Congress would determine that the, "...gray wolf is...determined not to be threatened or...endangered...within the meaning of the Endangered Species Act...."

In fact, given the other tools available at both the state and federal level, there is no need to continue the listing of wolves in the designated core recovery areas provided in S. 2674. We have some genuine concerns about the arbitrary boundaries of the recovery areas embodied in this bill. Simply put, wolves and other wildlife will not remain in these arbitrarily designated recovery areas. For example, 80% of the elk and most of the deer that seasonally inhabit the Bob Marshall Wilderness complex migrate outside to winter on areas of public and private lands. The wolves will go with them. This fact requires that we address the definition of the phrase "wolf habitat."

Recovery of an endangered species generally focuses on protecting critical habitat and we usually think of habitat as a physical place. However, habitat for wolves is not a physical place. Wolf habitat is instead the prey animals needed to sustain this predator. While prey is fundamental to the wolf, the federal endangered species program commits nothing to the production, maintenance or enhancement of our prey base. Make no mistake, wolf recovery will impact our game populations and our livestock industry.

It is not Montana's intent to eliminate the wolf. It is important for this committee to understand that. With or without passage of this legislation, Montana would provide for protection and management of wolves, just as we provide protection and management of the grizzly bear and other species. Our laws allow the flexibility needed to manage and recover a species as part of our resident wildlife management program. They also provide a permitting process for the removal of animals which may be damaging property or threatening human health, and for regulated animal harvest in the context of sound wildlife management principles.

At times there seems to be innuendo suggesting that states are not capable of adequately managing their wildlife resources. The fish and wildlife of Montana are offered as direct rebuttal.

In the 1930's, Montana's bighorn sheep were reduced to remnant herds. Today, Montana has 34 distinct populations totaling between 5,000 and 8,000 animals. A 1924 antelope population of 3,000 animals is today in excess of 100,000 animals. Moose were once believed extinct in the Rocky Mountains south of Canada. Today Montana has between 8,000 and 11,000 of these animals. Our elk population, once nearly decimated, now exceeds 100,000 animals. None of the recovery successes of these animals required the help of the Endangered Species Act. Their recovery resulted from the commitment of Montanans, our sportsmen and our state wildlife agency. The fish and wildlife abundance of Montana today is the product of decades of systematic and comprehensive conservation.

This program includes predators as well as prey. For example, the mountain lion is as important as the deer. We care and manage both and both are abundant. In addition, Montana's grizzly bear population is the largest in the contiguous 48 states. Montana began protecting and managing the grizzly as a game animal a half century before there was an Endangered Species Act. It is no accident that our grizzly population has met or exceeded the goals established in the recovery plan every year since it was drafted in 1982. Incidentally, although this conservation achievement is fact, the grizzly remains listed.

The state is also capable of managing the wolf under provisions of the Montana Nongame and Endangered Species Act (87-5-101). There is a fundamental logic underlying the principle that an agency managing the resident wildlife populations should have both the authority and the flexibility to manage a primary predator like the wolf. The wolf's listing under provisions of the federal ESA is not allowing this to happen.

There are really only two options which will adequately provide for wolf management. They are: (1) remove the wolf from the list of federally endangered species, or (2) amend the ESA through a legislative compromise similar to S. 2674.

Montana is capable of managing the wolf under our Montana Nongame and Endangered Species Conservation Act. A program of incentives to help states to accomplish this would be helpful. Senator McClure's bill correctly perceived that states can do a better job if wolf management is pursued under less stringent requirements than those of the Endangered Species Act. Wolves need management - not as an exception, but as a component of a comprehensive wildlife management system. It is our hope that this body will be responsive to that perception.

Finally, if Congress moves forward on this or any other wolf recovery plan, Governor Stephens requests that field hearings be held in Montana. The issue of wolf recovery has provoked strong and diverse opinions from Montanans. We encourage you to come and listen to the opinions of those who would be directly affected.

Thank you for allowing the State of Montana to express our concerns.

Senator WALLOP. Thank you, Director Cool, for an eloquent statement. Two things jump out, and some of us know them, and many who should know them ignore them. The rest of the public is unaware, but the fact of grizzly recovery as mentioned by you is the fact that you cannot persuade a lot of people of principally, I think, because it removes the level of control that they now possess or would like to seek to influence.

I would also point out your sentence that wolves need management not as an exception but as a component of a comprehensive wildlife management system. I think by and large the State and especially the Rocky Mountain State Fish and Wildlife Services have exemplary records that they can point to and that cannot be matched by the Fish and Wildlife Service.

That is not a criticism of them but simply because they have been good and they have on-the-ground animals that can be seen, that can be hunted and that are managed and are well managed. Their endangered species programs are good, Wyoming in particular with the black footed ferrets and other kinds of things.

So I just want to take my hat off to you and thank you for that statement. I will turn you over to your Senator.

Mr. COOL. Thank you very much, Senator.

Senator BURNS. "K," I thank you for coming today. I think you take a very commonsense approach to the management of this animal.

Now you stated that the wolf follows its prey base, and I would agree with that. I have also heard that when the wolf follows the elk out of the park, for example, that it will den up there and then in the spring when the elk move back into the park the wolf pups are not able to travel so the wolf will stay out of the park and possibly begin new packs in those areas, often on private lands.

Could you give me a few more details about that? Am I correct in saying that?

Mr. COOL. Recovery areas have been delineated in Montana, as you know, Senator, for wolves already. What we are finding is that the wolves do not recognize those boundaries and, in fact, the majority of those animals that move into below the northern boundary of our State seek out areas which have an adequate prey base and they are frequently not within the recovery areas at all.

In fact, wolves placed back into recovery areas have spilled from the table like marbles across our State and across the Bob Marshall Wilderness to take residence south of Missoula in the 9-mile area. Those wolves we believe will inhabit areas where there is an adequate prey base regardless of where that prey is found, and in Montana we know for a fact that the wilderness areas may sustain large numbers of ungulates for a period of time but in time they also move to more secure areas and wintering areas on private and public lands usually around the wilderness.

That will put the wolf into two distinct areas where we have not yet seen him. One, it will be associated with large numbers of wintering ungulates and has the potential to displace them onto private or other lands where they have not been and where there may be less tolerance for the number of animals that we have.

Two, we believe it a fact that these animals will not remain within the recovery areas, and the recovery areas are arbitrary.

It is our contention, therefore, that we need to look at the wolf as a primary predator and that habitat is not a limiting factor, it is the prey base.

Senator BURNS. Montana does have an Endangered Species Act. Now just for the record, if this animal was removed from the national endangered species list, that does not automatically remove it from the endangered species list in Montana. Is that correct?

Mr. COOL. No, it would not. It remains on that list. It was placed there in 1975, I think, for two reasons, Senator. One, it was placed there in order that we would demonstrate the desire to manage this animal as it potentially migrated into Montana so that we could preclude the constraints of the Federal Endangered Species Act. And, two, as a commitment to Americans, both in Congress and to Montanans, that we have the capability of managing it as a resident wildlife species.

It would be provided not only protection, but management. And it would give the agency the flexibility to reduce loss of livestock or problems with human interaction.

Senator BURNS. Just one other question. You have been in contact with the National Wildlife Organization. Are you satisfied that they would cooperate with you in any way they could in this recovery action?

Mr. COOL. Senator, do you refer—you would have to be more specific. Do you refer to the U.S. Fish and Wildlife Service?

Senator BURNS. Yes. The U.S. Department of Fish and Wildlife Service.

Are you satisfied with their degree of commitment to cooperation with the State of Montana?

Mr. COOL. At the current time they have the total authority for managing wolves in the State. We have, just recently at the Governor's direction, begun to communicate with them to develop a cooperative plan. It is our contention that it would be preferable to the State of Montana for the U.S. Fish and Wildlife Service to cooperate with us as lead agency and this animal to be listed as a State endangered species or a State game animal, managed under our resident wildlife laws with their cooperation.

We have no problem with cooperation. It is the constraints and technicalities of the Endangered Species Act that put the animal outside of our management authority that concern us.

Senator BURNS. Thank you very much. I have no further questions.

Senator WALLOP. Thank you very much, Mr. Cool.

Now, the next is a panel, Tom McNamee, the Greater Yellowstone Coalition; Tom France, Northern Rockies Resource Center; and Hank Fischer, Northern Rockies Representative, Defenders of Wildlife.

Mr. McNamee, I know of the airplane problems and I am perfectly willing to have you land talking so we can try to get you to your plane.

STATEMENT OF THOMAS McNAMEE, ON BEHALF OF THE GREATER YELLOWSTONE COALITION, THE IDAHO AND MONTANA OFFICES OF THE WILDERNESS SOCIETY, THE MONTANA AND WYOMING CHAPTERS OF THE SIERRA CLUB, AND THE NATIONAL PARKS AND CONSERVATION ASSOCIATION

Mr. McNAMEE. Senator, thank you for accommodating my needs today.

Mr. Chairman and members of the committee, my name is Tom McNamee. I am here on behalf of several organizations: the National Parks and Conservation Association, the Montana and Wyoming chapters of the Sierra Club, the Idaho and Montana offices of the Wilderness Society, and the Greater Yellowstone Coalition, of which I was president until this past May and of which I am still a member of the board of directors. I am also a writer with a long record of publications about wolves, grizzly bears, and Yellowstone.

I might add, Senator Burns, I am on my way to becoming a Montanan. I now own a cattle ranch in Montana and hope to be a permanent resident.

Senator BURNS. Bring a long rope.

[Laughter.]

Mr. McNAMEE. The truly wild places of our world are not many now. Most of them are in decline. The Serengeti, the Himalaya, the Amazon, the Everglades, it is a sad and familiar litany. Throughout the temperate zones of the Earth, it is often said there remains only one essentially intact wild ecosystem, Greater Yellowstone.

More than ever before on this increasingly besmirched planet, Yellowstone is a treasure of incalculable worth. It is also a monument to a very rare but very valuable human quality, namely humility. Greater Yellowstone is where we have stood back in awe at the beauty and complexity of creation.

And yet I suppose inevitably, humanity has been unable to resist trying to improve on perfection there. We like to say the Greater Yellowstone ecosystem is essentially intact, but in fact it is missing one critical element. One of its primeval complement of mammals was exterminated early in this century by the United States Government, which thought at the time it was doing us a favor.

I refer, of course, to the gray wolf. Do you all remember a few years ago when that lunatic smashed the face of Michelangelo's Pieta at St. Peter's in Rome with a hammer? That is what wiping out the wolf in Yellowstone seems like to me. We now have the opportunity, actually, to undo an act of savage vandalism against one of the world's greatest masterpieces and restore it to wholeness.

If we are going to leave wild nature for generations of the far-away future, it is going to be necessary to do some repairs, most of them much more difficult than this. But we need to start somewhere where the significance and the symbolism of the act will be blazoned around the world and down through history. We stand now at the threshold of precisely that opportunity.

I would like to make four brief points regarding the specifics of some of the recent proposals for Yellowstone wolf restoration. One, the biggest mistake ever made in the history of Greater Yellowstone, although, presumably it could not have been helped at the time, was the creation of ecologically meaningless jurisdictional

boundaries. Let us not compound old errors now. I mean, let us kid ourselves that wolves can be confined in the national park alone.

The main prey of Yellowstone wolves will be elk. About half of Yellowstone elk migrate out of the park in winter and the wolves are going to follow them.

Two, we believe that the best way to evaluate the reestablishment of wolves in the Greater Yellowstone ecosystem is through the formal processes mandated by the National Environmental Policy Act. A full range of options can be considered and full public participation is assured.

We are pretty certain you will find that a substantial majority of the people of our region support wolf restoration. Let us find out. Let us ask them. That is what environmental impact statements are for.

Three, the idea of immediately removing wolves outside of the park boundary from the Endangered Species list, we believe, flips the whole Endangered Species Act on its head. Delisting is supposed to be the reward we all get when recovery is achieved. And recovery is meant to be a realistic description of an empirical fact. Calling a species recovered when it is really not even close sounds like something out of George Orwell or maybe Franz Kafka.

But, and this is a big but, do not forget that wolves are not grizzly bears. Unlike bears, wolves have a high reproductive rate. A reintroduced wolf population will grow fast. And experience all over the world has shown that wolves, again unlike bears, are quite easy to manage. Thus, it can be expected that real recovery will come swiftly.

This leads directly to my final point. Recovery and delisting will mean a return of wolf management to the States. So let us get the States involved in the NEPA process from day 1.

Thank you.

Senator WALLOP. Thank you. I will let you run and catch your airplane. But let me make one observation that you are certain that a substantial majority of the people support wolf restoration. But one of the things about America is, it is built on another theory, too. That is the protection of the minority from the tyranny of a majority of one that are unaffected by it except sentimentally. And so there is two sides to that which clearly must be considered.

I think you tipped your hat in that direction. And surely I hope that is the case.

Mr. McNAMEE. I hope I did not misrepresent us. We have always supported the concept of control outside of the recovery zone. And we believe resource users can be completely protected from wolf trouble.

Senator WALLOP. Good. Catch your plane. I think you have time.

Mr. McNAMEE. I appreciate it very much.

Senator WALLOP. Tom France?

**STATEMENT OF THOMAS M. FRANCE, DIRECTOR AND COUNSEL,
NORTHERN ROCKIES RESOURCE CENTER, NATIONAL WILDLIFE
FEDERATION**

Mr. FRANCE. Senator Wallop, it is nice to see you again, sir, after many years.

My name is Thomas France. I am here today on behalf of the National Wildlife Federation, the Nation's largest conservation organization with some 5.8 million members.

As this committee well knows, wolves are controversial business in the West. For the last 10 years at least as the issue of wolf recovery has been debated and talked about in bars around Montana, Wyoming, and Idaho, there has been great controversy surrounding this issue.

The National Wildlife Federation and its State affiliates have not been immune from this controversy. As you know, Senator, our affiliate, the Wyoming Wildlife Federation, has a large contingency of hunters. That is true of our affiliates in Idaho and Montana. It is also true of our national membership. Many hunters are concerned about the potential impacts of wolves on ungulate populations, just as livestock operators are concerned about potential impacts on cattle and sheep.

As we have debated this issue of wolf recovery within our membership, I cannot represent to you that we have come to a unanimous opinion. But I think I can represent that the majority of our memberships in all three States support wolf recovery. They certainly support an EIS and a study and a public involvement process on the issue of wolf reintroduction and recovered wolf populations. I think in this, our membership is representative of the larger views of the public in the West.

I cite just a few polls to indicate where hunters are on this issue. In northwestern Montana a survey of hunters in the Flathead Valley that were in an area where wolves were naturally recolonizing showed that 58 percent would continue to hope that wolves would continue to inhabit the area. 53 percent of those hunters hoped that wolves would continue to disperse throughout the State. In 1987 a poll of Wyoming Wildlife Federation members showed that a full 63 percent of the in-State membership supported reintroducing wolves into Yellowstone Park.

A similar poll done in Minnesota found, again, that a substantial majority of the hunters there supported wolves. These findings should come as a surprise to no one that is a hunter. For decades hunters have supported wildlife and wildlife restoration in all its forms. And in this sense, bringing back the wolf is but another step in reclaiming the wildlife heritage of this country.

One of the things I think this committee needs to recognize is that while we can talk of reintroducing wolves to the Yellowstone or into central Idaho and the great unknowns that exist in this undertaking, the last 5 years to 8 years have given us a living laboratory in western Montana which Senator Burns spoke to.

Throughout the decade of the 1980's, wolves have been slowly recolonizing western Montana. And the experiences that public organizations such as the National Wildlife Federation, and State agencies such as the Fish, Wildlife, and Parks, and the livestock groups have had, I think, give us an indication of what we are capable of in the Yellowstone.

Just a few highlights on this. What we have seen is a slow expansion of wolf populations. As Director Cool indicated, this population, these expansions, have occurred in areas where we had not

predicted it 10 years ago. I think that that argues strongly for flexibility on our management and not doing it through legislation.

I think it has shown us that the Fish and Wildlife Service is an agency which is very capable of moving forward with wolf management. Where we have had livestock depredation programs, the Fish and Wildlife Service has been quick to respond. Decisions have been made. And where necessary, wolves have been trapped or killed in order to resolve livestock depredation problems.

As Director Turner indicated, 12 wolves in Montana have been eliminated because of livestock conflicts. I know an incident in 1987 that resulted in a permit issued by FWS to ADC to kill wolves. Wolves were live trapped last year. Another wolf was killed this year. At the same time, we have seen wolf populations slowly building. I think the hope certainly is that this trend of both solid management and continued growth toward recovery will continue.

I think the third lesson is that the Endangered Species Act has flexibility which we seem to not want to give it credit for. The Fish and Wildlife Service, with an endangered population—not an experimental population or a threatened population—but with an endangered population, has developed a control program under section 10 of the act. They have determined that taking under that program is acceptable.

And they have moved to implement that control program so that even where we have an endangered population, we have seen a Federal agency with professional expertise develop a responsible program that allows for wolf recovery and wolf taking where necessary.

As Senator Burns reflected, what we are talking about when we speak of wolf recovery is wolf management. And I think the Service has developed an admirable record there. And one that should give us confidence about the likely outcome of wolf recovery and reintroduction in Idaho and Yellowstone National Park.

Just a couple of quick points in response to some of the concerns that have been raised here today. Senator McClure has, for the last 3 years, endeavored to bring the livestock and environmental communities together and we really appreciate his efforts in that regard. We have continually voiced our interest in working with livestock groups to develop adequate programs for wolf/livestock management on public lands. We have indicated our willingness to look at experimental population, taking regulations that would include affected ranchers. To date the livestock industry has refused, except in Idaho, to meet with conservation representatives to look at ways of resolving this issue.

Finally, I would point out that under section 1535 of the act there is authority there for the States to petition the Secretary of the Interior to develop independent programs for management. We have encouraged the State agencies to do this. To date they have chosen to not take this course of developing an independent wolf conservation program.

Thank you for your attention, Senator. I will be happy to answer any questions.

[The prepared statement of Mr. France follows:]



Working for the Nature of Tomorrow.

NATIONAL WILDLIFE FEDERATION

1400 Sixteenth Street, N.W., Washington, D.C. 20036-2266 (202) 797-6800

STATEMENT OF THE NATIONAL WILDLIFE FEDERATION

ON S. 2674

BEFORE THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCE

September 19, 1990

Thomas M. France, Esq.
National Wildlife Federation
240 N. Higgins
Missoula, Montana 59802

Mr. Chairman and members of the committee, I am Thomas M. France, the Director and Counsel for the National Wildlife Federation's Northern Rockies Natural Resource Center in Missoula, Montana. On behalf of the more than 5.8 million members and supporters of the National Wildlife Federation, the nation's largest conservation/education organization, I welcome this opportunity to testify on S. 2674, a bill that would require the reintroduction of wolves into Yellowstone National Park and into central Idaho. I am here today to express NWF's strong support for the general direction provided for in this bill, but also to express our opposition to some of the specific mechanisms that the bill would establish.

As this committee well knows, wolves are a controversial issue throughout the West. Numerous concerns and fears, some legitimate and some not, arise whenever the subject of wolves is raised. The NWF has hardly been immune from the emotions that attach to this issue. Within the Federation and within our Montana, Idaho and Wyoming state affiliates, the issue has been sharply debated over the last decade. All three of these state affiliates have endorsed moving forward with an EIS on reintroducing wolves to Yellowstone Park so that the issue is fully evaluated before decisions are made. The delegates to NWF's 1986 annual meeting endorsed Yellowstone reintroduction, and we have been working with our affiliates for the past four years to secure the preparation of an EIS for this program.

The NWF and its state affiliates count many hunters among their members. It should come as no surprise that our hunting membership is not of one mind when the subject of wolves is raised. Some of our membership is concerned that wolves will have an unacceptable impact on deer and elk populations. Our discussions with our hunting membership indicate, however, that many believe that wolf recovery should be carefully considered, that wolves belong in the wild, and that all our lives will be enriched by restoring this animal to portions of its former range in the West.

The conclusions we have drawn from our discussions are supported by other data on hunter attitudes. Poll after poll have demonstrated solid hunter support for wolf recovery. A 1986 survey of hunters in northwestern Montana showed that 58% hope that wolves would continue to inhabit the area, while only 24% hope they would not.¹ Similarly, 53% of the hunters thought wolves should be allowed to disperse to other areas, while 29% thought they should not. A 1987 poll² of members of the Wyoming Wildlife Federation, a group composed primarily of hunters, found that 63% of the in-state members favored reintroducing wolves to Yellowstone, while only 25% opposed it. Likewise, 73% of

¹ Tucker, P. and D. Pletscher, 1988, Attitudes of hunters and residents towards wolves in northwestern Montana. Submitted to Wildlife Society Bulletin, 13 pp.

² Bath, A.J. 1987. Attitudes of various interest groups in Wyoming toward wolf reintroduction in Yellowstone National Park. M.A. Thesis, Univ. of Wyoming, Laramie, Wyoming. 123 pp.

Minnesota hunters surveyed in 1985³ agreed with the statement, "I may never see a timber wolf in the wild, but it is important for me to know they exist in Minnesota." Thus, there can certainly be no accurate claim made that hunters as a group oppose wolf recovery. Moreover, these findings should come as no surprise to anyone familiar with the history of the conservation movement in this country. For decades, hunters have supported wildlife and wildlife restoration in all its forms and, in this sense, bringing back the wolf is but another step in reclaiming our wildlife heritage.

While we are confident that hunters as a group favor wolf recovery, the NWF recognizes that this support is contingent on a program of wolf management in accordance with sound principles of wildlife management. Without such a program, the potential for diminishing prey populations or livestock problems is indisputable. Neither of these potential consequences would bode well for the continued acceptance of the wolf by either our hunting membership or the larger public. The public must understand all the ramifications of wolf reintroduction and the practical management necessary to maintain healthy predator/prey relationships in areas with such diverse activities as livestock grazing, logging, mineral extraction, hunting and other recreation.

³ Kellert, S.R. 1985. The public and the timber wolf in Minnesota. Yale University, New Haven, Connecticut. 175 pp.

Because sound management and broad understanding are key to a successful wolf reintroduction program, the NWF has been engaged in an extensive wolf education program for the past four years. During this time, our staff has presented programs to over 200 organizations in the Northern Rockies, and we have distributed over 15,000 copies of our booklet on restoring wolves, "Wolves in the Northern Rockies: Commonly Asked Questions." Throughout this effort, the message we have delivered is that wolf recovery and wolf management go hand in hand.

Despite our efforts to direct wolf recovery along a rational course, political pressure groups from some interest groups and some members of Congress have paralyzed those agencies charged with managing wolf recovery under the Endangered Species Act. While a wolf recovery plan was adopted in 1987 that called for reintroducing wolves to Yellowstone⁴, to date the Department of Interior has sidestepped all calls to move forward on this program, and other than Congressionally-directed studies that the National Park Service released earlier this winter, we have seen no movement forward on reintroduction.

We see the legislation introduced by Senator McClure as a well-intended effort to break the political stalemate on wolf recovery, and we certainly support the goals of S. 2674 in

⁴ The approval of the wolf recovery plan was also a lengthy process. The U.S. Fish and Wildlife Service circulated two drafts for comment and spent more than five years on preparation of the document. Political pressure held up the final approval of the plan for months.

recovering wolf populations in northwestern Montana, central Idaho, and the Yellowstone ecosystem. Where we must oppose S. 2674 is over the provisions calling for totally removing federal protection for wolves outside of the three certain sanctuary areas identified in the bill. This part of the bill is unwarranted, biologically, practically and legally.

This committee should recognize that we presently have the proverbial "living laboratory" on wolf recovery taking place in northwestern Montana as wolves slowly recolonize this part of the United States. This laboratory is telling us many things about wolf biology, about wolf management, and about the flexibility we have under existing authorities to manage wolves.

Wolves first began appearing in northwestern Montana in the early 1980's with the establishment of the "magic pack" in the North Fork of the Flathead drainage on the western border of Glacier Park. These wolves came to Montana from southern British Columbia where better wolf management programs have resulted in growing wolf numbers. Since 1983, the magic pack has produced a litter of pups each year. Over the last seven years, wolves from Glacier have dispersed outward, and other animals from B.C. and Alberta have also apparently migrated into Montana. This summer, two litters of wolf pups were born in Glacier Park, another litter was born 20 miles west of Missoula in the Ninemile valley, and a forth litter may have been raised in the northwestern part of the state near Fortine.

While this slowly expanding wolf population is cause for optimism for wolf advocates, we also know that even the few wolves present in Montana have caused their fair share of problems. In 1987, wolves began preying on livestock on the east side of Glacier Park on the Blackfeet Reservation. These wolves were killed by Animal Damage Control under a permit issued by the U.S. Fish and Wildlife Service. In 1989, a wolf pack consisting of adults and the young of the year began killing cattle near Marion, Montana, west of Flathead Lake. Two adults and two pups were live captured by FWS and relocated to Glacier National Park. The pups and the adult male subsequently died, while the female moved 200 air miles southwest of Glacier and gave birth to the Ninemile litter this summer. Another wolf was killed by FWS at Marion this spring after livestock depredations occurred.

What lessons can we learn from this natural recovery of wolves in Montana? First, while we can try and predict where wolves will go, the wolves themselves may have other ideas. The 1987 wolf recovery plan established a wolf recovery area in the Bob Marshall/Glacier Park wilderness complex. Wolves have appeared virtually everywhere in western Montana but the Bob Marshall wilderness. Second, we have learned that the Fish and Wildlife Service can handle wolf problems and that ranchers will accept wolves where conflicts do not occur. FWS has responded with dispatch to solve wolf/livestock problems, while landowners in both Marion and west of Missoula have been extremely tolerant of wolves until problems developed. Third, despite claims to the

contrary, we have found that the Endangered Species Act is sufficiently flexible to allow for the management of "endangered wolves" in western Montana. Problem wolves have been killed or trapped by FWS even while the population has steadily grown.

The lessons of wolf recovery in western Montana speak strongly against legislating the "core zones" and "natural recovery areas" established by S. 2674, because wolves may find other areas better suited to their needs. S. 2674 establishes a "natural recovery area" in the Bob Marshall wilderness and Glacier National Park and delists the animal outside this area. Such a refuge would not serve the needs of wolves because wolves are colonizing Montana in other parts of the state, just as the removal of federal protection outside this area could set wolf recovery back indefinitely.

The record in western Montana also speaks strongly for the expertise of the Fish and Wildlife Service and the flexibility that Congress has built into the ESA. Unlike the state fish and wildlife agencies in the West, which have little or no management experience with wolves, FWS has been able to bring in experienced personnel from Alaska and Minnesota and to mold a program which is responsive to both societal and biological needs. Those of us that have supported wolf recovery in the northern Rockies recognize that livestock depredation by wolves is unacceptable, and that in the absence of wolf control, livestock operators will likely take the law into their own hands. FWS has recognized this salient fact as well, and under the authorities of Section

10 of the ESA⁵, the Service has developed a program which has successfully handled depredation incidents. Experienced FWS personnel have been on the scene within hours of each depredation incident, decisions have been made, and where necessary, control actions have been initiated and accomplished.

By legally removing wolves from the list of endangered species in the northern Rockies and by legislating the wolf protection areas, S. 2674 removes both flexibility and critical experience from the wolf recovery process. We need flexibility to both protect and manage wolves where we find them. State laws do not provide such protection and state agencies⁶ lack the expertise to assume wolf management responsibilities immediately. A little over a year ago, the National Wildlife Federation testified in support of H.R. 2786, a bill introduced in the House of Representatives which would direct the Department of Interior to prepare an environmental impact statement on wolf reintroduction to Yellowstone National Park and to make a decision on whether to go forward with reintroduction after the EIS has been completed. We believed then, and we believe now, that H.R. 2786 provides solid direction for resolving the wolf controversy because the

⁵ 16 U.S.C. 1539.

⁶ In Wyoming, the wolf is classified as a predator. Under such a classification, the Wyoming Game and Fish Department has no management program, and wolves can be killed without limit and at all seasons of the year. In Idaho, the Idaho Fish and Game Department has been legislatively forbidden to spend any Department funds on wolf management. Montana has listed the wolf as an endangered species under the state's endangered species act.

EIS process gives the public, the states and the affected federal agencies the opportunity to examine fully both the problems and possibilities associated with wolf recovery. H.R. 2786 was also endorsed by the Montana, Idaho and Wyoming Wildlife Federations.

It is our position today that the substantive provisions of S. 2674 should be examined as an alternative in the EIS contemplated by H.R. 2786, not mandated by passage of a federal law. As this committee knows, every EIS must examine a reasonable range of alternatives. While NWF believes that wolves should be reintroduced into Yellowstone as a "nonessential experimental population pursuant to Section 10(j) of the ESA,"⁷ and that this management alternative should be carefully examined in the EIS process, S. 2674's provisions for delisting and the establishment of wolf refuges is certainly a management alternative that should also be evaluated. The EIS process would also review expanding the reintroduction effort to central Idaho. Such a course would allow for greater public and agency review, compare S. 2674 with other management options and set in motion a process designed to ensure a well considered decision on wolf recovery in the West.

In conclusion, the National Wildlife Federation appreciates Senator McClure's efforts to move the wolf issue forward and his support for recovered wolf populations in the northern Rockies. While specific provisions of S. 2674 may have merit, they should not be enacted as the law of the land, but rather should be

⁷ 16 U.S.C. 1539(j).

considered by agencies with wolf management expertise in an open and public process.

This concludes our statement. Thank you and I will be happy to answer any questions you may have.

Senator WALLOP. We will hear Mr. Fischer first.

**STATEMENT OF HANK FISCHER, NORTHERN ROCKIES
REPRESENTATIVE, DEFENDERS OF WILDLIFE**

Mr. FISCHER. I am Hank Fischer. I am the Northern Rockies Regional Representative for Defenders of Wildlife.

I cannot resist starting off, Senator Wallop, by telling a story about one of our members who wrote to us. This member had written—he wrote to me because he had written to both you and to Senator Simpson—I am sure—a letter you have received many times urging you to support restoration of wolves to Yellowstone Park primarily because he thought the impact in developing a better balance between predator and prey populations could be achieved.

He got a letter back from Senator Simpson that said, no, I oppose restoring wolves to Yellowstone Park, wolves would decimate prey populations in the park. He got a letter back from your office which said, no, I oppose wolf restoration in Yellowstone Park, wolves could never be plentiful enough to have significant impacts on wolf populations.

The point I am making is that people received opposition for precisely the opposite reasons on this issue. I guess the point I want to make is that we have argued over and over about a lot of the points. There has been emotional exchange. But we have tried to take a different tack in working on that issue. And that has been to look at some of the real issues and the real concerns and to make an honest effort to resolve them.

I personally worked on this issue for more than 10 years. And during that time I think we have seen some real significant strides in changes in public attitudes. I think we are approaching the point where we will reach a reasonable compromise to this difficult issue.

Just for the record, our involvement is included, we worked closely with State and Federal agencies on the recovery plan. Defenders was responsible for bringing the Wolves and Humans exhibit both to Yellowstone National Park and to Boise, Idaho. At a cost of more than \$10,000, we took livestock industry representatives from Montana, Wyoming, and Idaho to Minnesota to look at wolf/livestock problems. That was an idea that Senator McClure suggested to us.

I have talked personally to livestock people in Cody and Casper and Boise and St. Anthony, all over the ecosystem. Of the less than 50 livestock producers who have allotments around the Yellowstone area, I have probably talked to three-quarters of them.

In short, I think we have made a real effort to understand the legitimate concern of the livestock industry. One thing our organization has done is to establish a private compensation fund to pay livestock operators for all verified livestock losses to wolves. We started this in 1988. We have paid out over \$10,000 to six different livestock operators in northwestern Montana. We have now developed a fund of nearly \$100,000 to pay for compensation. We think we have a program that can answer the economic concerns of livestock producers.

For the sake of this hearing I thought it might be important to focus on the areas of common ground, the areas of agreement that we have found and that Senator McClure has helped develop. I think it is important for the committee to understand that conservationists agree that wolves which kill livestock should be controlled promptly. We agree that ranchers who lose livestock should be compensated. We agree that State wildlife agencies should play a major role in the recovery effort. We agree that recovery zones should be carefully defined.

Our point of departure and the reason that we must oppose Senator McClure's legislation is that we do not believe that species-specific legislation is necessary to restore the wolf or any other endangered species. We do not need to remove the wolf from the Endangered Species list in order to save it. To do so would send a dangerous message that the process for species recovery, which Congress has laboriously established over the last 17 years, will not work.

Some of the top wildlife professionals in our region, aided by representatives from the livestock industry and the conservation community, spent more than 5 years developing the Rocky Mountain wolf recovery plan. That plan stated that the favored recovery strategy for northwestern Montana and central Idaho should be natural recovery and that for Yellowstone it should be reintroduction.

It also emphasized that the best course for restoring wolves in Yellowstone would be to designate Yellowstone as an experimental population.

We simply have to ask where is the compelling evidence that would cause us to override the best advice of our local wildlife professionals. Experience with the experimental wolf reintroduction in North Carolina has shown us that the use of the experimental population designation can very effectively balance the needs of the wolf with needs of local citizens. That effort has proceeded remarkably smoothly.

Further, the report submitted to Congress by the Department of the Interior earlier this summer on the effects of restoring wolves to Yellowstone revealed no unusual or exceptional situation that would call for special legislation. To the contrary, the reports concluded that wolves could be restored to Yellowstone with minimal impact. And I might add parenthetically there that reduction of elk and bison populations in Yellowstone National Park has been a stated objective of State wildlife agencies for the last 2 decades.

In sum, while we applaud Senator McClure's efforts to find the middle ground on this issue, we think it would an error for Congress to sidestep the processes it has carefully constructed over the years for endangered species recovery. Instead, we think that the solution to this issue is for agencies to initiate an environmental impact statement on Yellowstone wolf restoration which includes an alternative that embodies the concepts which Senator McClure has developed in his legislation. That way we can have the best of both worlds. We can have the benefit of Senator McClure's carefully considered ideas on how to restore wolves and we can have them tempered with the site-specific knowledge and the biological expertise that our managers on the ground have.

In closing, I would like to reiterate again. I think this issue has moved a great distance in the 10 years we have been involved with it. While at times we have really been frustrated with how slowly the recovery process has proceeded, we recognize that controversial issues take time to gain public acceptance.

A final point I would like to make is that the way you develop a spotted owl situation is by not dealing with the problem. Ignore this problem and it will bite you. Deal with it and it can be solved.

Thank you.

[The prepared statement of Mr. Fischer follows:]

Defenders OF WILDLIFE

TESTIMONY OF
DEFENDERS OF WILDLIFE

ON S.2674

THE NORTHERN ROCKY MOUNTAIN GRAY WOLF RESTORATION ACT OF 1990

PRESENTED BY HANK FISCHER
NORTHERN ROCKIES REPRESENTATIVE, DEFENDERS OF WILDLIFE

BEFORE THE COMMITTEE ON ENERGY AND NATURAL RESOURCES
UNITED STATES SENATE
SEPTEMBER 19, 1990

Thank you, Mr. Chairman, for the opportunity to testify on S.2674, the Northern Rocky Mountain Gray Wolf Restoration Act of 1990. We appreciate Senator McClure's effort to resolve this long-standing controversy and to end the delays surrounding the restoration of the wolf to Yellowstone. We would hasten to add, however, that this legislation would not be necessary if the National Park Service and the U.S. Fish and Wildlife Service would follow the direction of the Rocky Mountain Wolf Recovery Plan and utilize the experimental population designation process which Congress has established.

I am Hank Fischer, Northern Rockies Representative for Defenders of Wildlife. Defenders of Wildlife is a national, nonprofit wildlife conservation organization representing more than 80,000 members and supporters. We work for the recovery of threatened and endangered species and the enhancement of our national wildlife refuge system, among other things. Our goal is to provide for the protection of all native wildlife species and their habitats.

I live in Missoula, Montana, and have served as Defenders' representative in the region for more than 12 years. Defenders of Wildlife has been closely involved with Rocky Mountain wolf recovery virtually since the agencies initiated active recovery efforts in 1978. I personally worked with state and federal agencies on development of the Rocky Mountain Wolf Recovery Plan during the early 1980s and have continued to work with them on implementation. Defenders of Wildlife has made a special effort to discuss wolf reintroduction issues with livestock producers and livestock industry leaders. I have had personal conversations with the majority of the approximately 50 individuals who hold livestock grazing permits in the Yellowstone area.

Defenders OF WILDLIFE

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In 1985, Defenders of Wildlife sponsored the "Wolves and Humans" exhibit at both Yellowstone National Park and Boise, Idaho. This outstanding exhibit was seen and appreciated by more than a half-million people, and we were consequently awarded the Natural Resource Council of America's Award of Achievement for Education.

In 1987--at the suggestion of Senator McClure--Defenders sponsored a field trip to northern Minnesota where we took conservationists and representatives of the livestock industry (two each from Montana, Wyoming and Idaho) to gather on-the-ground experience about wolf/livestock relationships. We found that while wolves do sometimes kill livestock, the frequency of such incidents is low and only a small number of operators are affected.

Nevertheless, we recognized that wolf recovery would be vigorously opposed as long as the livestock industry bore the primary economic burden of such an effort. So in 1988, Defenders of Wildlife announced it would develop a compensation fund to pay livestock producers for all verified livestock losses to wolves in the Northern Rockies. Since that time, we have paid out approximately \$10,000 to more than a half-dozen livestock producers. We are pleased to say we are very close to reaching our goal of \$100,000 for the Wolf Compensation Fund--tangible evidence that the American public is more than willing to put its money where its mouth is when it comes to paying for wolves.

In summary, we have been intensively and productively involved in this wolf recovery issue for more than ten years. We have worked closely with state and federal agencies, we have educated the public, we have talked with livestock producers and come to understand their concerns, we have assumed a major part of the economic responsibility for wolf recovery. Although we have been dismayed at how slowly the agencies have proceeded with their recovery duties, we recognize that controversial issues take time to gain public acceptance. But we feel the public is now comfortable with and supportive of the idea of restoring wolves to Yellowstone.

From this standpoint, we applaud Senator McClure's leadership in trying to help resolve this difficult question. Sen. McClure's wolf restoration bill contains many worthwhile concepts, and these ideas may provide a basis for striking a balance between restoring a wolf population and meeting the needs of local communities. For instance, most conservationists agree that wolves which prey on livestock should be controlled by government agents promptly and humanely; we agree that state wildlife agencies may have a significant role to play in the

management of wolf populations; and we agree that recovery zones must be carefully defined.

But we cannot agree that special legislation is necessary to strike such a balance. And we feel strongly that wolves do not need to be removed from the endangered species list to be recovered. That kind of "special legislative fix" approach repudiates the important and carefully conceived process for endangered species recovery which Congress has developed during the 17 years the Endangered Species Act has been in existence. Furthermore, it would require an Act of Congress to re-list the wolf if the experiment were to fail and further recovery steps were needed.

Special legislation mandating reintroduction suggests that existing processes for endangered species recovery will not work, when all available information points to a contrary conclusion.

In fact, reports submitted to Congress by the Department of the Interior this Spring on the effects of restoring wolves to Yellowstone National Park revealed no unusual or exceptional situation that would merit special treatment. To the contrary, the reports concluded that wolves could be restored to Yellowstone with minimal impacts on either the livestock or outfitting industries.

We think Congress would be heading in a dangerous direction if it were to sidestep its carefully constructed process for endangered species recovery in favor of species-specific legislation. Such management decisions typically require extensive site-specific information and particular biological expertise found only in the hands of resource experts.

The top professional wildlife experts in the region--aided by representatives from the livestock industry and conservation community--spent more than five years developing and then adopting the Rocky Mountain Wolf Recovery Plan. It stated that natural recolonization would be the recovery strategy for northwestern Montana and central Idaho, while reintroduction would be necessary for the Yellowstone area. It also emphasized that the appropriate administrative course for restoring wolves to Yellowstone should be designation of the Yellowstone population as an "experimental population". Congress created this classification--after considerable deliberation--in the 1982 amendments to the Endangered Species Act.

At that time, Congress saw that some recovery efforts were being inhibited because of local resistance to the impact of endangered species regulations. In fact, the Yellowstone wolf

issue was a specific case Congress had in mind when it developed the experimental population classification.

Designation of a population as experimental non-essential, both relaxes the requirements for consultation (it's mandatory only for experimental non-essential populations in national parks or national wildlife refuges), critical habitat, and on taking (the species is treated as though it were listed as "threatened").

Those closely associated with reintroduction of the red wolf in North Carolina have indicated that use of the experimental population classification was the key step in gaining public acceptance and in defusing controversy. We believe this same approach would work for restoring the wolf to Yellowstone.

We want to emphasize, however, that Yellowstone is the only place in the Northern Rockies where reintroduction or an experimental population designation is necessary at this time. There is no reason for special action in either of the other two recovery areas in the Northern Rockies at this time. Natural recolonization is occurring in northwestern Montana, and wolf populations have been slowly increasing. For the time being, natural recolonization also seems advisable for central Idaho as well. Although no breeding activity has been reported for central Idaho wolf populations, sightings have increased during the last few years.

For Yellowstone, we believe the solution is for the National Park Service to immediately begin development of an Environmental Impact Statement that compares alternative ways to restore wolves to Yellowstone National Park. This EIS should be completed in 1991. This is the ideal context in which to evaluate Senator McClure's alternative along with alternatives that provide greater and lesser levels of protection. There should also be a "no reintroduction" alternative which would serve as a baseline. This document would be subject to full public review and hearings.

After the EIS is completed and a preferred alternative chosen by the Secretary of the Interior, special regulations could be written that would be subject to public review.

Congress has entrusted federal executive branch agencies with the responsibility to move affirmatively on the recovery of threatened and endangered species. Congress has directed agencies to take all actions necessary to bring endangered species populations to the point where they no longer need the

protection of the Endangered Species Act. It also has directed agencies to develop recovery plans for listed species, and to implement them.

We believe it is time for the agencies to act. While Senator McClure's bill is well-intended and its concepts can be used to help develop a management plan, Congress has established a process which experience has shown can work. While the wolf is a controversial species that sometimes deserves special consideration, we threaten to undermine our larger process of endangered species recovery if we pass special legislation to take care of an individual species. We are sympathetic to seeing this issue resolved, but we want to see it resolved effectively within the context of the entire national endangered species recovery program, and thus we find it necessary to oppose passage of this legislation.

Thank you for the opportunity to testify. I will be glad to answer questions.

Senator WALLOP. Mr. Fischer, I confess to you that I have no recollection of writing a letter to anybody on the basis of prey basis. That has not been one of my concerns as to whether or not it would succeed. I will take your word for it. If you might be good enough to submit to me the name of the person to whom we wrote so that we can at least see that. But it is uncharacteristic of the responses that people have been getting from my office because that has not been my concern.

Mr. FISCHER. I will provide you with a copy of the letter.

Senator WALLOP. I have got to also express one of the frustrations that I have with groups such as yours. You seem to be more protective of the process than the species. You seem to want to be more in control than you do to work toward a solution.

It seems to me that Senator McClure, the Fish and Wildlife agencies of both surrounding States are not a group of incompetent Luddites, but are people who are really actually working to try to get there. Your embrace of the Endangered Species Act to the exclusion of cooperation seems to me not the way to travel.

I do not mean to lecture here, but it seems that that is more important. You said it sets a dangerous precedent. I have got to say I do not give a damn about precedents if in the final conclusion of all the things everybody's interests are satisfied and we ultimately end up with the recovery.

The Fish and Wildlife Service seems to believe they can, without going to the dimension of controlling the wolf ever reaching the outside introduced area. It does not seem to trouble them that there would be local State authorities to control those populations outside the introduced areas, the core areas.

It is a level of frustration that you are worried about precedents and dangerous messages.

Mr. FISCHER. Can I respond to that?

Senator WALLOP. Yes.

Mr. FISCHER. I do not mean to demean Senator McClure's ideas and concepts. I think to the contrary. We have worked closely with his office and I think he is really on the right track for finding the compromise.

I just wonder if you, as a member of Congress, really want to see, every time somebody has an endangered species issue, do you want them coming into Congress and asking you to pass another law to fix it. To me Congress spent, like I said there has been numerous reauthorizations of the Endangered Species Act, and Congress has spent numerous hearings. Many people have come back in order to forge this sort of endangered species recovery process that works.

I guess I find that, yes, it would be precedential for Congress to throw that out the window and then begin to do it on a site-specific basis.

Senator WALLOP. That is where we differ. I would say to you, Tom, one of the great disappointments that I had with the Wyoming Wildlife Federation is that in conjunction with Fish and Wildlife Service and the Wyoming Game and Fish Department and others, they found reason to believe that they could increase raptor habitat and raptor populations by getting some waivers from the Surface Mining Act and leaving high walls there.

And after they heard from you they changed their position on it and became more protective of the process. Not you personally, but your organization and others that those in Wyoming and the conservation groups and movements were all in favor of this thing. We introduced it back here thinking that would please a lot of people, that you would get more raptors. This is not the same as Appalachia. And all of a sudden it was because some other people would come back and ask us to do the same thing in their State. Not that anybody gave a damn about the habitat for the raptors, but the process. And I sense, Mr. Fischer, the same thing here.

And I tell you I do not mind, as a member of Congress, people coming back and asking me. One of the things we are sent here to do is make judgments. And those judgments ought to be made. Flexibility in wildlife is surely—Defenders of Wildlife know that wildlife is not subject to the rigors of dotted lines, but requires flexibility in its management.

Mr. FISCHER. That is what we are seeking.

Mr. FRANCE. I think one of our concerns with Senator McClure's bill is that he rigidly draws some recovery zones. And I think we need a more dynamic process than that.

I appreciate your points on how national politics can sometimes make local politics even more difficult to resolve than it is, but one of our concerns with the wolf, as opposed to raptors, is right now the wolf is a predator under Wyoming State law. Under Idaho State law the Game and Fish Agency cannot spend any funds on wolf management. And in Montana it is listed as an endangered species, but there is no substantive management provisions under that State act.

And so in the absence of some sort of guidance from the Federal Endangered Species Act in at least two of the three Northern Rockies States, we have no management at all.

I guess the third point—

Senator WALLOP. Let me just point out—and I do not mean to interrupt—

Mr. FRANCE. That would be the other point. The other point here is that the Fish and Wildlife Service in Montana, where we have real wolves as opposed to hypothetical wolves in Yellowstone, has been able to draw on the expertise within the Service that they have gained in Alaska and in Minnesota. And their wolf staff there are bona fide wolf professionals. It really has helped them develop a very active, and I think, responsible program in Minnesota.

Senator WALLOP. I think you are misinterpreting Senator McClure's legislation. Those are core zones, not-recovery zones. I must say that while it may be satisfying to you and to Director Turner how those things have been handled, it is not satisfactory to the people who have suffered the predations. They are not happy that they have had that. It is interesting that the species is endangered and can suffer the loss of 11 without being further threatened.

The point of it all is that these State agencies are not cooperating with the Fish and Wildlife Service because—I had experience trying to get those things together. This is not a criticism. I stated to Director Turner, and it is not a criticism of them, but it is contrary to their mission.

They do it. They have tried. Mr. Fischer, those Wyoming ranchers whom you took to Minnesota came back thoroughly unconvinced that that was a good program. I just would point that out that while it was a good idea, a good gesture, I think the conclusion that they reached was that they hoped that it did not happen that way to them.

Senator McCLURE [presiding]. Thank you very much. I want to thank both of you for your testimony.

I guess I am stubborn. I do not want to give up the idea that there is somewhere in the midst of all of this a solution to the dilemma that we are facing. I understand many of the concerns that have been expressed. Some who are less informed than the witnesses here today have suggested or more or less implied that a wolf that steps outside this core zone, the sanctuary established, any wolf that steps across that line is a dead wolf.

I think that we all know that if a wolf steps outside of those areas and gets in no trouble, he is no trouble and that many will, as a matter of fact. It is only those that step outside these areas and get into trouble that are at any risk at all. And if our history is correct, if, as a matter of fact, we can look at all of Minnesota and say, hey, that will work, then you would see, indeed, the population spreading outside these sanctuary areas without any problem. It is only if that evidence does not extrapolate to our areas that you would have a different situation.

Similarly with respect to that that is happening in Glacier. The teams, the best biologists in the world, who know more about wolves than anybody else in the world, set up wolf recovery zones. And the wolves do not live there. They went over into the next valley.

Mr. FRANCE. It has certainly been a learning process for all of us.

Senator McCLURE. And it still is. And the ones that are over in the next valley and not getting into trouble are living there. So it is incorrect to say either that the biologists are always right because sometimes they are not. Or secondly, if they make misjudgments that the wolf is automatically dead. I think this has some potential of working better than many people fear on both sides.

Our experience would indicate wolves can coexist. Not all wolves get in trouble. The cattlemen and sheepmen do not believe that or are fearful that it is not true. On the other hand it is also true that they can coexist and will not necessarily get killed. And the wolf reintroduction proponents do not believe that or they are afraid of that. So fear is a great problem that we have here.

The major purpose of the legislation is to give people some assurances that they can live with so that they do not have to be fearful, so that they do not have to resist because they are afraid of what might happen. So far what we have done has not reduced that fear quotient on either side. Fear is still there. And resistance is still there. And reintroduction is not going.

Now it would not be the end of the road if this bill does not pass, but I think it is the loss of an opportunity.

I am certainly flexible in terms of how we express what it is we are trying to do, how we set up the assurances that are necessary in order to get people away from their adamant opposition. For instance, I want to commend the Defenders for your compensation

program. I do not think we can simply take a compensation program that works on a voluntary basis outside the Government and put it into a Government agency and have it work. The first thing they will do is write rules and regulations and they will be subjected to lawsuits and a whole lot of other things. All of sudden the program does not work the same way. So I think the voluntary effort is extremely important. I think, again, the Defenders should be complimented for having undertaken this. And I hope you will continue to do that because a private organization, outside of Government, has the flexibility to do things that a Government bureaucracy could never accomplish.

I will continue to talk with you. I do appreciate the opportunities to talk with you over the last several months and 3 or 4 years. Now, as we try to move something forward, I am—the downside that I see and I confess that this thing might not work. If we tried it and it did not work we would have lost 2 years or 3 years. Then we could fall back and regroup. Maybe what we need to do is simply add a total sunset to the whole effort. Say, at the end of 3 years if this has not worked, it is all gone and we are back to square one.

The only difficulty that you have with that is residual populations. And somebody does not want a sunset, the protections against those residual populations. So it is a complex problem and I will continue to discuss with you and with others the possible compromises that might be made that perhaps could remove the sticking point that people see. And maybe then we could get something accomplished rather than just reiterating where we are. I think we have made progress in understanding, but I do not think that progress by itself means an automatic success for the parties on either extreme of this discussion.

Thank you very much. I have no further questions.

Senator WALLOP. Hank, if you will come up here, I will give you the letter that we have been using now for 2 years on wolf reintroduction. And just for the record, it does not make much mention of such populations.

Mr. FISCHER. I will give you a copy of the one I have.

Senator McCLURE. We will have about a minute break as the next panel comes forward.

[Pause.]

Senator McCLURE. I might note before introducing this next panel, all of whom are welcome here—and I should have, while the other panel was here, observed that certainly you do not overstrain parallels. I understand the concern that some people have that Congress may, for the first time, depart from the processes and statutes that are on the books today, and therefore, that is a danger to the future of those processes. I do not mean to alarm anybody, but this is not the first time that Congress has done that in this precise area.

I think, and I would invite others who may wish to comment about it to submit for the record their comments in response to my statement, but I think in at least two instances we have done so with success and with approbation. As strange as it may seem, Congress occasionally does something right. I do not take that as a given and I understand the odds are very great on the other side,

but I do believe that in the instance of the sea otter and the desert pup fish that the congressional variation from the established processes were viewed by most people as having been positive. So they are not all negative experiences. There may be a positive experience. And if we did that in this case it might also prove to be positive.

With that, we move to the final panel of the day and I am sure that there is a pecking order established in the witness list.

Senator WALLOP. I have it here, Mr. Chairman.

Mr. Bennett of the National Cattlemen's Association, Ms. Cindy Siddoway of the Idaho Wool Growers, Tom Geary of the Idaho Farm Bureau, and my friend Carolyn Paseneaux of the Wyoming Wool Growers.

Senator McCLURE. As you can tell, the witnesses know more about it than I do. They are all seated in the proper order and we will start right down the line.

I would invite you to summarize as briefly as you can. I will keep with the 5-minute limit, but invite you to summarize more quickly than that if you can, other than just saying, we do not like it.

Short of that, if you could keep your statements as short as possible, we would all appreciate it.

Mr. Bennett.

STATEMENT OF GEORGE BENNETT, ON BEHALF OF THE IDAHO CATTLE ASSOCIATION, MONTANA STOCKGROWERS, WYOMING STOCKGROWERS, GEM STATE HUNTERS ASSOCIATION, PUBLIC LANDS COUNCIL, NATIONAL CATTLEMEN'S ASSOCIATION, FOUNDATION FOR NORTH AMERICAN WILD SHEEP, AND MONTANA, IDAHO, AND WYOMING GUIDES AND OUTFITTERS ASSOCIATION

Mr. BENNETT. Chairman McClure, Senator Wallop, and others here today, I am honored to speak on behalf of the Idaho Cattle Association, the Montana Stock Growers, the Wyoming Stock Growers, the GEM State Hunters' Association, the Montana, Idaho, and Wyoming Guides and Outfitters Associations, the Public Lands Council, the National Cattle Association, and the Foundation for North American Wild Sheep.

We appreciate this opportunity to comment on S. 2674, a bill introduced by Senator McClure to provide for the reestablishment of the gray wolf in certain areas of the West.

The existing wolf recovery plan signed by a deputy regional director of the U.S. Fish and Wildlife Service on August 3, 1987, had no public input or hearings. To prevent end runs of that nature in the future, the Endangered Species Act was changed on October 7, 1988, to clearly require public notice and provide an opportunity for public review and comment on new or revised recovery plans.

I wish to state at this time that the August 3, 1987, plan is totally unacceptable to the associations I represent. In consideration of that fact we are unable to ascertain if S. 2674 will supersede and nullify the August 3, 1987, plan. We have consistently opposed the concept of wolf recovery or reintroduction. No acceptable alternative has been presented that would contain ironclad guarantees of adequate means of control and delisting.

The retention of the gray wolf on the threatened species list in the face of growing numbers of this hybridized animal in Minnesota, the provinces of Canada, and the State of Alaska is clear evidence to us that reason does not prevail on the wolf issue. We support the petition for delisting this species presented to the Secretary of the Interior in July 1990.

A major concern we have with S. 2674 is the need for adequate funding. The USDA Animal Damage Control program is already overtaxed by growing numbers of predators and insects in the face of environmentally pleasing the less effective method of control. The coyote is expanding his range to the Eastern Coast of the United States again, while the wolf control program in Minnesota is foundering under increasing numbers of wolves on rapidly widening territories.

Reason must be applied in balancing the Federal and State costs which present and future wolf restoration efforts will entail as compared to the dubious necessity of replacing this predator in areas from which he was banished with adequate cause in a more enlightened period of our history.

The economic costs of wolf restoration to the State wildlife programs, private industry, and individuals, have never been addressed by EIS or the NEPA process in the west. The impact of wolf predation on mountain sheep, elk, deer, and moose herds upon which millions of dollars have been spent in restoration efforts will be staggering.

Livestock on typical western terrain, which prohibits continuous observation, are particularly vulnerable to wolf attacks.

The livestock industry has consistently opposed the reestablishment of wolf populations on a protected status because wolves are undeniably predators that attack and kill livestock.

A great deal of research and many interviews with people who personally experienced wolf attacks conclusively proved that wolves caused enormous cattle and sheep losses when wolves ranged across the West in the early 1900's.

Today, wolves continue to kill livestock in Montana, Minnesota, in Canada, and in any area where they are permitted to coexist. Recorded accounts of wolf depredation prior to their control resulted in estimated livestock losses of many millions, in terms of 1990 dollars.

Depredation compensation, even if it were available, does not address the true issue. The American livestock industry exists to feed people, not wolves. The losses of stock bred to continually improve nutritional strains cannot be compensated for in terms of lost time and genetics which are involved.

Present day experience with the wolf in Montana and Minnesota graphically illustrates that this voracious predator goes where he wants to go and eats whatever warm-blooded animal or bird is available. While vulnerable and relatively defenseless prey such as moose and elk calves, lambs, fauns, young livestock and turkeys are all preferred in season, he is equally prone, as a pack hunter, to attack and destroy full-grown elk, moose, and caribou with efficiency. Repeated instances of wanton destruction and waste of sheep bands and winter-bound deer herds have been recorded.

Radio-collared wolves have recorded up to 500 miles radius in range while seeking to establish new territories. Hunting packs, while usually avoiding human contact, show no unwillingness to approach human development.

Simply stated, both the S. 2674 and 1987 Wolf Recovery Plan, while attempting to establish wolf recovery zones, do not secure consensus from the subject animal itself. It must be recognized, given the nature of the wolf, which is well documented, that with increasing numbers, new packs will be established on ever-expanding territory. Can assurance be given that as expansion occurs beyond established boundaries these animals will be delisted? Who will make this determination and take prompt action to control these out-migrants?

The record is not reassuring. In Minnesota, where wolf numbers are now estimated as high as 2,300 animals, and that is a current report, and depredation incidents bankrupting both Federal and State control and compensation programs, the anti-hunting and pro-wolf groups have continued to stymie any reasonable control efforts by using litigation.

Senator McCLURE. I notice that your reading span is not as great as you anticipated. You still have two paragraphs and one sentence to go. Would it be satisfactory if we just placed the entire statement in the record?

Mr. BENNETT. I was going to request that you do that, and I have to apologize. I am speaking on behalf of so many groups, and I wanted to recognize their concerns.

Senator McCLURE. If you had not taken the time to tell about everybody you were speaking for, you would have completed the statement.

Mr. BENNETT. We were close, and I would like to add one thing, sir. We have the highest regard and respect for you, Senator McClure, and of your understanding of natural resource matters. We believe that you share our concern on these issues, and we believe that your bill as presently written does not adequately address those concerns.

Thank you, sir.

[The prepared statement of Mr. Bennett follows:]

Testimony
on behalf of the

IDAHO CATTLE ASSOCIATION
and
MONTANA STOCKGROWERS
and
Wyoming Stockgrowers
and
GEM STATE HUNTERS ASSOCIATION
and
PUBLIC LANDS COUNCIL
and
NATIONAL CATTLEMEN'S ASSOCIATION
and
FOUNDATION FOR NORTH AMERICAN WILD SHEEP
and
MONTANA, IDAHO, AND WYOMING GUIDES AND OUTFITTERS ASSOCIATIONS

before the

United States Senate

Committee on Energy and Natural Resources

September 19, 1990

on

S2674

The Idaho Cattle Association, the Montana Stockgrowers, and the Wyoming Stockgrowers are independent state associations representing the beef ranching industry in their respective states, and the GEM State Hunters Association represents Idaho hunters. The Montana, Idaho and Wyoming Guides and Outfitters Associations represent the licensed professional guiding and outfitting industry of those states, a significant factor in their economy. The Public Lands Council represents 31,000 western ranchers who graze cattle and sheep on federal lands in 14 western states, and coordinates the public land policies of the National Cattlemen's Association, American Sheep Industry Association, and the Association of National Grasslands. The National Cattlemen's Association is a nonprofit trade association representing approximately 300,000 professional cattlemen throughout the nation, including individual members, 47 affiliated state cattle associations, and 29 affiliated national breed organizations. The Foundation for North American Wild Sheep is the national association dedicated to preservation and enhancement of the species.

Testimony presented by: George A. Bennett, Public Lands Director, ICA and Executive Director, GSHA.

The Idaho Cattle Association, the Montana Stockgrowers, the Wyoming Stockgrowers and the Gem State Hunters' Association, the Montana, Idaho and Wyoming Guides and Outfitters Associations, the Public Lands Council, the National Cattlemen's Association, and the Foundation for North American Wild Sheep appreciate this opportunity to comment on S.2674, a bill introduced by Senator McClure to provide for the reestablishment of the gray wolf in Yellowstone National Park and the Central Idaho Wilderness Areas.

The existing Wolf Recovery Plan signed by a Deputy Regional Director of U.S. Fish and Wildlife Service on August 3, 1987, had no public input or hearings. To prevent end-runs of that nature in the future, the Endangered Species Act was changed on October 7, 1988, to clearly require public notice and provide an opportunity for public review and comment on new or revised recovery plans. I wish to state at this time that the August 3, 1987, plan is totally unacceptable to the associations I represent. In consideration of that fact, we are unable to ascertain if S.2674 will supersede and nullify the August 3, 1987, plan. We have consistently opposed the concept of wolf recovery or reintroduction unless some acceptable alternative is presented that would contain iron-clad guarantees of adequate means of control and delisting. To date this has not been accomplished.

The retention of the Gray Wolf on the endangered or threatened species lists in the face of growing numbers of this hybridized animal in Minnesota, the provinces of Canada and the State of Alaska is clear evidence to us that reason does not prevail on the wolf issue. We support the petition for delisting this species presented to the Secretary of the Interior by the Idaho, Montana, and Wyoming Farm Bureau in July 1990.

A major concern we have with S.2674 is the need for adequate funding. The USDA Animal Damage Control program is already overtaxed by growing numbers of predators and insects in the face of environmentally pleasing but, less effective methods of control. The coyote is expanding his range to the Eastern coast of the United States again while the wolf control program in Minnesota is foundering under increasing numbers of wolves on rapidly widening territories. Reason must be applied in balancing the Federal and State costs which present and future wolf restoration efforts will entail, as compared to the dubious necessity of replacing this predator in areas from which he was banished with adequate cause in a more enlightened period of our history.

The economic costs of wolf restoration to the state wildlife programs, private industry and individuals have never been addressed by an EIS or the NEPA process in the West. The impact of wolf predation on mountain sheep, elk, deer and moose herds upon which millions of dollars have been spent in restoration efforts will be staggering. Livestock in typical western terrain, which prohibits continuous observation, are particularly vulnerable to wolf attacks.

The livestock industry has consistently opposed the reestablishment of wolf populations in a protected status because wolves are undeniably predators that attack and kill livestock. A great deal of research and many interviews with people who personally experienced wolf attacks conclusively prove that wolves caused enormous cattle and sheep losses when wolves ranged across the West in the early 1900's. Today wolves continue to kill livestock in Montana, in Minnesota, in Canada, and in any area where they are permitted to co-exist. Recorded accounts of wolf depredation prior to their control resulted in estimated livestock losses of many millions in 1990 dollars.

Present day experience with the wolf in Montana and Minnesota graphically illustrates that this voracious predator goes where he wants to go and eats whatever warm-blooded animal or bird is available. While vulnerable and relatively defenseless prey, such as moose and elk calves, lambs, fawns, young livestock and turkeys are all preferred, in season, he is equally prone as a pack hunter to attack and destroy full grown elk, moose and caribou with efficiency. Repeated instances of wanton destruction and waste of sheep bands and winter-bound deer herds have been recorded.

Radio-collared wolves have recorded up to 500 miles radius in range while seeking to establish new territories. Hunting packs, while usually avoiding human contact, show no unwillingness to approach human development. Simply stated, both S.2674 and the 1987 Wolf Recovery Plan, while attempting to establish wolf recovery zones, do not secure consensus from the subject animal itself. It must be recognized, given the nature of the wolf which is well documented, that with increasing numbers new packs will be established on ever-expanding territory. Can assurance be given that as expansion occurs beyond established boundaries these animals will be delisted? Who will make this determination and take prompt action to control these out-migrants?

The record is not reassuring. In Minnesota, with wolf numbers now estimated as high as 2300 animals and depredation incidents bankrupting both Federal and State control and compensation programs, the anti-hunting and pro-wolf groups have continued to stymie any reasonable control efforts by using litigation.

Federal and private biological experts have generally estimated that an average wolf pack of 10 animals will consume the equivalent of 100 full-grown elk or beef cows each year. Who will bear these costs?--The individual hunters of each state affected, the outfitting and guiding industry and the associated state and municipal travel economies, the ranchers and stockmen, the nature lovers of the nation, the foresters and recreationists denied access by recovery plans, and the Eastern, Southern and Mid-Western hunters who come to the Northwest for a once in a lifetime experience!

We have the highest regard and respect for Senator McClure and his understanding of natural resource matters. We believe he shares our concern regarding the issues we have raised. We do not believe S.2674, as presently written, adequately addresses those concerns.

Thank you for your consideration.

Senator McClure. Thank you very much.

Welcome, Cindy Siddoway, a great Idahoan and a great Idaho family. Welcome, Cindy.

STATEMENT OF CINDY SIDDOWAY, IDAHO WOOL GROWERS ASSOCIATION

Ms. SIDDOWAY. Thank you very much. First of all, I want to assure everyone that I am a rancher. My husband and I, my three children, own and manage our five-generation sheep operation in Eastern Idaho. I am in favor of Senator McClure's bill but—I will summarize the "but" as much as I can. I am representing the Idaho wool growers as well as our family interests.

The Idaho Wool Growers Association is opposed to the recovery of the wolf into any areas that may restrict or eliminate multiple uses. If the reestablishment of the gray wolf, whether by artificial or natural means, is to be forced on the people of the West, then the concept put forth by Senator McClure should be adopted and we will support it with assured amendments.

First and foremost, Senator McClure recognizes the sovereignty of the States with S. 2674, allowing the States to control wolf populations that leave the core areas as determined by the will of the people who must coexist with them.

The recovery of the wolf has little chance of succeeding if those indigenous to the area do not support the effort. To gain their support, the activities of every logger, miner, rancher, hunter, or recreationist cannot be threatened by the presence of wolves or the bureaucracy responsible for its management.

This bill would allow the delisting of those wolves that leave the core area, which in turn would allow the State to determine their status and lessen the bureaucratic hammer lock of the T&E Species Act.

Let there be no doubt, wolves do kill domestic livestock and can extract a heavy toll on wildlife populations if not properly managed. In Minnesota last year, control agents killed 81 wolves directly responsible for livestock losses, and in Montana, where wolves have just recently migrated from Canada, four were removed because of their innate behavior to prey on livestock.

Significant damage caused by the wolves warranted the issuance of these kill permits. Legislation must accompany this bill which will guarantee funding will be available for monitoring purposes, as well as to reimburse our animal damage control program for time and effort expending in protecting the livestock and wildlife resources in the States in question.

We must be guaranteed that current programs to protect our livestock and wildlife will not be adversely affected, and further that funds dedicated to these programs will not be shifted to address wolf programs.

We are particularly susceptible in Idaho, because of the remoteness of our operations. If wolves started to work on our sheep, it could well be many days before contact could be made with Government control agents.

Also, our sheep bed down on mountain tops, different from pasture sheep in Minnesota, and are prone to pile-ups where many hundreds of sheep could be lost due to a single attack by wolves.

The Idaho Wool Growers is opposed to section 3 of S. 2674, which would allow the Secretary up to 3 years to adjust the core zone areas should the wolves establish new territories. The core zones must exclude areas which have historically been administered as multiple use areas.

We graze our sheep within 15 miles of the southwest corner of the Yellowstone Park, the Moose Creek allotment and the Jedediah Smith Wilderness Area. Other sheep operations in our area are within 5 miles of the park.

We also have private land within 50 miles of the park, where 3,600 elk migrate for winter feed. Of the 3,600 elk, about 600 come from the park. It is possible that we could be wintering wolves on our private land west of St. Anthony.

The States must have a say in responding to potential conflict. Again, this is the one key point that Senator McClure's bill would allow. It would give us flexible management to work with, while giving the pro-wolf groups the reintroduction they demand. It would satisfy their desires by planting the seed for unknown expansion, while satisfying our right to protect our personal property.

In closing, Mr. Chairman, all I ask is that you respect our lifestyles and values, as we are often requested to respect others. If reintroduction must occur, do not force my family and friends out of business by overregulation, or expect us to withstand large losses of livestock without making some type of effort to defray those costs.

We are all willing to try to live with each other. We, as an industry, do not fear the wolf to the degree we fear the laws, rules and regulations that will accompany its reintroduction.

The Idaho Wool Growers could support the McClure concept provided that section 3 is amended so as not to restrict current multiple use areas, and also that funding be made available for monitoring and control programs.

Thank you.

Senator McCURE. Thank you. We will turn next to another Idahoan representing a very important Idaho association. Tom.

STATEMENT OF THOMAS GEARY, PRESIDENT, IDAHO FARM BUREAU FEDERATION

Mr. GEARY. Thank you, Senator. I would like to ask—well, I am going to summarize as best I can, and I would like to include the complete testimony in the report.

Senator McCURE. Your testimony will be made a part of the record.

Mr. GEARY. I am Tom Geary, a rancher from Burley, Idaho. Me and my family operate an irrigated farm southwest of Burley, and a 300-head cow/calf operation. I am also president of the Idaho Farm Bureau Federation, and am representing the American Farm Bureau Federation, the Nation's largest organization of farmers and ranchers.

The farm bureau strongly opposes S. 2674, legislation which calls for the introduction of the gray wolf to Yellowstone Park and Cen-

tral Idaho Wilderness Area. It is a rare and somewhat unpleasant experience for me to come before this subcommittee to oppose a bill by Senator Jim McClure, a Senator repeatedly recognized by the farm bureau for his outstanding service to agriculture, to our State and to our great Nation.

It is inconceivable for me to imagine, after the successful eradication of this plague and menace to our society in the mountain west, we are even thinking about the reintroduction of the wolf. Our parents and grandparents went through enormous stress and agony along with economic hardship, with tremendous loss to sheep and cattle, prior to the eradication of the wolf from our ranching society.

As a young man, my new bride and I purchased some sagebrush land southwest of Burley. We cleared the brush, drilled a well, developed an irrigated farming operation. We had sagebrush on three sides of our farm. For several years, rabbits would come in and devour several acres of crops bordering the sagebrush. I spent many evenings with a spotlight and a .22 caliber rifle trying to protect my crops.

It is not uncommon for us in the ranching operation to be plagued with predators. I have seen calves killed by coyotes, and cows being eaten while in the birthing process, before they are entirely out of their mother. Yet we are talking of introducing a predator far more vicious than the native coyote.

I hope you do not get the impression I am against wildlife and the joys these different species bring to our life on the ranch. We provide habitat for many of them, on the ranch.

The farm bureau opposes S. 2674 for the following reasons. The introduction of wolves threaten livestock and the viability of the livestock operation. There is no one point on which parties agree. This is one point which all parties agree: wolves do kill livestock.

Under the bill, delisted wolves would supposedly lose their protection and could be controlled by State and wildlife agencies. Farmers and ranchers are skeptical of this assurance, because similar provisions have been proven hollow. As Representative Owens mentioned, in the Minnesota situation, where wolves were introduced in 1970, livestock losses from wolf predation have steadily increased. According to the animal damage control office of the USDA, Minnesota livestock losses have, in 1989, reached the highest level in the history of the program.

There is other information submitted here in the testimony of experience of ranchers with similar activity. Ranchers have learned from experience that once a specie has been introduced, Government interests in depredation problems end. By merely placing the livestock producer's fate exclusively in the hands of the State wildlife agency, S. 2674 offers no great assurance that this experience will change.

Number 2, S. 2674 will not reintroduce native wolves to Yellowstone, but instead introduce a whole new species of wolf, and there has much been said on that today, and I am going to skip part of that. But anyway, it is an extinct wolf that was there, and it is contrary to the Endangered Species Act to recover species in areas which are not the historic habitat.

Recent findings from the Fish and Wildlife Service show that over half of the wolves tested in Minnesota were not pure wolves but were some form of hybrid between wolves, coyotes and feral dogs.

Number 3, introduction is not necessary for the survival of this species. Another common misconception about the wolf introduction proposal is that introduction into the Yellowstone area is necessary for the survival of the species. As Senator McClure once again notes, this is not the case. The gray wolf are plentiful in both Canada and Alaska, where healthy, self-sustaining populations exist, and this is also a sizable population in Minnesota.

Number 4, species should not be introduced without adequate input from local citizens. Wolf introduction will directly affect people residing in certain areas of Montana, Idaho and Wyoming. Because these people must live with the wolf, we strongly believe that their consent should be obtained before any introduction proposal is made. Wolf introduction is not a national issue or question, it is intensely a local issue.

In summary, S. 2674 poses serious threats to the livestock and livestock producers. It is unnecessary for the survival of the species, and will not reintroduce native species to the Yellowstone area. Worst of all, adequate consideration has not been given to local citizens who will be impacted by this legislation. The American Farm Bureau Federation strongly urges you to oppose S. 2674.

Thank you.

[The prepared statement of Mr. Geary follows:]

**STATEMENT OF THE AMERICAN FARM BUREAU FEDERATION
TO SENATE ENERGY COMMITTEE,
SUBCOMMITTEE ON PUBLIC LANDS, NATIONAL PARKS AND FORESTS
REGARDING S. 2674**

**A BILL PROVIDING FOR THE INTRODUCTION OF GRAY
WOLVES IN THE YELLOWSTONE NATIONAL PARK AREA**

SEPTEMBER 19, 1990

**PRESENTED BY THOMAS GEARY, PRESIDENT
IDAHO FARM BUREAU FEDERATION**

I am Tom Geary. I am a rancher from Burley, Idaho, where my family and I manage an irrigated farm and a 300 head cow-calf operation. I am the president of the Idaho Farm Bureau Federation and am representing the American Farm Bureau Federation, the nation's largest organization of farmers and ranchers.

Farm Bureau strongly opposes S. 2674, legislation which calls for the introduction of gray wolves to Yellowstone Park and the Central Idaho Wilderness Area. It is a rare and somewhat unpleasant experience for me to come before members of this subcommittee to oppose a bill by Senator Jim McClure, a senator repeatedly recognized by Farm Bureau for his outstanding service to agriculture, my state and our nation.

Farm Bureau opposes S. 2674 for the following reasons:

**1. THE INTRODUCTION OF WOLVES THREATENS LIVESTOCK
AND THE VIABILITY OF LIVESTOCK OPERATIONS.**

There is one point on which most parties agree--wolves kill livestock. In every case where wolves have been found, they have been associated with the killing of livestock. That is the reason why the wolf populations have been reduced in these areas. This very real threat of livestock depredation is demonstrated in every area where wolf-livestock interactions occur. Wolf-livestock interactions will occur with S. 2674. Wolves which are introduced will not respect the boundaries of the core zones defined by the bill.

We recognize that S. 2674 attempts to offer protection to livestock producers by providing for delisting of problem wolves outside the core areas. Under the bill, delisted wolves would supposedly lose their protection and could be controlled by state wildlife agencies.

Farmers and ranchers are skeptical of this assurance because similar promises have proven to be hollow. An example is Minnesota, where wolves were introduced in the 1970s. Livestock losses from wolf predation have steadily increased. According to the Animal Damage Control office at USDA, Minnesota livestock losses in 1989 reached the highest levels in the history of

the program. Therefore, I believe farmers have a legitimate concern that losses from increased wolf predation are unlikely to be controlled.

Wolves are by nature territorial animals, with established territories exclusive of other wolves. These exclusive territories can range into hundreds of square miles, with some wolf territories in Alaska stretching over 1,000 square miles. Information provided by the U.S. Fish and Wildlife Service Wolf Recovery Plan indicates that wolves may travel up to nine miles per day, and that distances between successive kills can range up to thirty-four miles. As wolves are introduced into the Yellowstone area, the area they encompass will therefore expand exponentially as their numbers expand. Expansion can occur in several ways. There may be an increase in the number of wolf "packs" which require additional territory establishment. Also, there may be an increase in the number of "lone wolves" (animals that leave the pack and set out on their own) which also establish their own territories. In either case, this poses a threat to area livestock.

Livestock losses to wolves are well documented. Attached to this statement are reports of wolf depredations to livestock from Minnesota. Also attached are news accounts of livestock depredation which occurred recently in the Glacier Park area of Montana. Published reports show that it cost over \$40,000 (or more than \$6,800 per wolf) to remove the offending wolves. In the meantime, some ranchers' livelihoods have been lost to wolves.

We are aware of the so-called "protections" provided through delisting that are offered by S. 2674, but we are not persuaded that they will be effective. Under the bill, control of wolves and protection of livestock outside the core zones will be the responsibility of the state wildlife agencies. According to our state Farm Bureaus, the track record of these agencies in protecting the interests of agricultural producers against predators is questionable, at best.

Instead of protecting the interests of ranchers in northern Minnesota, state and federal governments have steadfastly refused to provide any relief from depredating wolves. Frustrated ranchers have been forced to resort to the courts to attempt to receive protection or compensation, often coming up empty-handed. (See *Brzoznowski v. Andrus*, D.C. Minn. No CA 5-77-19, 1980). Ranchers in Montana have had similar experiences with grizzly bears.

Ranchers have learned from experience that once a species has been introduced, government interest in depredation problems ends. By merely placing the livestock producer's fate exclusively in the hands of the state wildlife agency, S. 2674 offers no great assurance that this experience will change.

2. S. 2674 WILL NOT "REINTRODUCE" NATIVE WOLVES TO YELLOWSTONE, BUT WILL INSTEAD INTRODUCE A WHOLE NEW SPECIES OF WOLF.

There is a common misconception that this proposal will "reintroduce" native wolves to the Yellowstone Area. This is not true. As Senator McClure notes in his introductory comments on the bill, the type of wolf that once roamed Yellowstone--the extinct Northern Rocky Mountain Wolf--is not the type of wolf that is proposed for introduction. S. 2674 and every other introduction proposal would introduce a different subspecies of wolf than was there before.

It is contrary to the Endangered Species Act to recover species in areas which are not the historic habitat. It is also contrary to the management policies of the National Park Service which provide for the restoration of only "native species." Recent news articles point out how the Park Service is allowing mountain goats coming from the west into Yellowstone but not mountain goats from the south or east, because the western goats are considered "native species" and the others are not. The same management principles apply to foreign wolves. This should be especially true for foreign wolves, who are a dominant predator in any ecosystem and whose introduction would change the face of the Park forever.

Senator McClure notes that "as far as the official recovery plan is concerned, a wolf is a wolf." Recent evidence even casts doubt on that statement. Recent findings from the Fish and Wildlife Service show that over half of the wolves tested in Minnesota were not pure wolves, but were some form of hybrid between wolves, coyotes and feral dogs. What may look like a wolf might not really be a wolf, or what might look like a coyote might really be a wolf. The Idaho, Wyoming and Montana Farm Bureaus have filed a joint petition requesting that the gray wolf be delisted until the Fish and Wildlife Service can determine for sure what species they are trying to protect. A copy of that petition is submitted for the record.

3. INTRODUCTION IS NOT NECESSARY FOR THE SURVIVAL OF THE SPECIES.

Another common misconception about wolf introduction proposals is that introduction into the Yellowstone area is necessary for the survival of the species. As Senator McClure once again notes, this is not the case.

The same gray wolves, that are like those proposed for introduction to Yellowstone by S. 2674, are plentiful in both Canada and Alaska, where healthy, self-sustaining populations exist. Hunting of gray wolves is permitted in both places. There is also a sizeable population in northern Minnesota, where the species is not "endangered" but is listed as "threatened."

Because introduction of gray wolves is not necessary to ensure the survival of the species, and because a completely new type of animal is targeted for release, this proposal is not based on or pursuant to the Endangered Species Act, nor can it be justified on the basis of giving Mother Nature some help. It can thus only boil down to the fact that some people think it would be "nice" to put wolves in the Park.

While some would think it "nice" if wolves were introduced into the Yellowstone area, this should not be the guiding criteria for species translocation. Translocation efforts should only be considered when they are needed to ensure the survival of the species, not in the current situation.

4. SPECIES SHOULD NOT BE INTRODUCED WITHOUT ADEQUATE INPUT FROM LOCAL CITIZENS.

Wolf introduction will directly affect people residing in certain areas of Montana, Idaho and Wyoming. Because these people must live with the wolf, we strongly believe that their consent should be obtained before any introduction proposal is made.

Concern with wolf recovery in the affected states is strong. The entire Wyoming congressional delegation, and the overwhelming majority of members of Congress from Idaho and Montana are opposed to wolf introduction. The State Farm Bureaus, Cattlemen's Associations in all three states and Woolgrowers' Associations in Wyoming and Montana have, in an attached petition, expressed opposition to introduction of wolves to Yellowstone. Sportsmen and wildlife groups have critical concerns with the impact wolves will have on other wildlife.

Wolf introduction is not a national question. It is an intensely local issue. Even if wolves are successfully controlled outside core zones, wolf introduction may have major impacts on local communities. Consideration of these local concerns is essential. We are deeply troubled that hearings on wolf introduction bills have now been held in both the House and Senate without the benefit of even one field hearing.

SUMMARY

S. 2674 poses serious threats to livestock and livestock producers. It is unnecessary for the survival of the species and will not "reintroduce" native species to the Yellowstone area. Worst of all, adequate consideration has not been given to local citizens who will be impacted by this legislation. The American Farm Bureau Federation strongly urges you to oppose S. 2674.

WE THE UNDERSIGNED ARE IN TOTAL OPPOSITION TO INTRODUCTION OF WOLVES TO
YELLOWSTONE NATIONAL PARK AND WYOMING.

Signed:

David Flitner, President, Wyoming Farm Bureau Federation
Pat Litton, President, Wyoming Wool Growers Association
Wally Ramabottom, President, Wyoming Stock Growers Association
Bill Taliaferro, President, Wyoming State Grazing Board
Jack Turnell, President, Wyoming Public Lands Council
Rick Robitaille, Executive Director, Petroleum Assn. of Wyoming
Gary Rice, President, Wyoming Outfitters Association
Bill Schilling, Executive Director, Wyoming Heritage Society
George Reynolds, President, Wind River Multiple Use Advocates
Arnie Jahns, Director, Foundation for North American Wild Sheep
David McClure, President, Montana Farm Bureau Federation
Jerry Jack, Executive Director, Montana Stock Growers Association
Bob Gilbert, Secretary, Montana Wool Growers Association

Al Christensen *Minnesota Farm Bureau*
Terrence Wickland *Alaska Farm Bureau*
Long Haskins *W.V. Farm Bureau, Pres*
Dwight Hobbs *President N.C. Farm Bureau*
Ron Yodanis *PRESIDENT UTAH FARM BUREAU*
Angela H. Brown *Pres. Okla. Farm Bureau*
Reggie Miller *Pres. Farm Bureau*
Bob L. Vick *Pres. Calif. Farm Bureau*
Thomas A. Ray *Pres. Idaho Farm Bureau*
Keith Poppel *Pres. Colo. Farm Bureau*
David L. Smith *Maine Farm Bureau*
Richard Chubb *President S.D. Farm Bureau*
Monty Burks *N.D. Farm Bureau*
Bill McElhenny *N.M. Farm & Livestock Bureau*
James W. Brown *Mont. Farm Bureau*
James L. Lamm *Mich. Farm Bureau*
Gary Glenn, Exec. Vice President *Idaho Cattle Association*

Senator McClure. Thank you very much, Tom. Carol.

STATEMENT OF CAROL PASENEAUX, EXECUTIVE DIRECTOR, WYOMING WOOL GROWERS ASSOCIATION AND WYOMING PUBLIC LANDS COUNCIL

Ms. PASENEAUX. Thank you for staying so late and listening at this late hour. We truly appreciate it. I am not going to read everything in my testimony. I would ask that it would be entered in the record.

Senator McClure. The entire statement will be made a part of the record.

Ms. PASENEAUX. Although ranchers' futures will be adversely affected by wolf recovery, I have never heard one of my members say that they hate the wolf or that the wolf should not be allowed to run wild and free in some place.

What troubles the people that I represent today are all the regulations that come with the wolf himself, and the testimony from the agencies today has me even thinking that I am more frightened than when I came.

For the agriculture industry and other commodity groups in Wyoming, such as oil, gas, timber, mining, the introduction of the wolf is a means of exercising control over the management of forests and other lands near Yellowstone. Such control could be the demise of industry in this State, for Wyoming depends upon multiple use of public lands for economic stability.

Critical habitat needed for wolves which roam from the park could possibly stop oil exploration necessary in response to the Persian Gulf crisis, as an example.

Carl Haywood of Senator McClure's staff stated in November 1989 at the Wyoming Wool Growers annual meeting that the wolf is a surrogate issue for removing grazers from public lands. Carl, we think that is true, also, and we would ask that if, in fact, we need to be off the public lands, that it is done up front, that an endangered specie is not used to do that.

Before another step is contemplated toward wolf recovery, a Federal financial commitment must be assured. States cannot support the cost of endangered programs, and as you heard here today, the Wyoming Game & Fish Department recently voiced their concern about who will pay for livestock losses and how Wyoming would make up for the income lost by that State as a result of reduced game harvest.

A recent report on the Nation's economy identified Wyoming as a State whose economy has bottomed out and has not yet begun the trend upwards, and a survey released this week says that the majority of Wyoming residents are worn out by the poor economy. To burden Wyoming with the wolf at this time would be an irresponsible act of the Federal Government and of Congress.

In addition, the Federal deficit hangs like an albatross around the necks of we people of America. Federal and State agencies expend \$43.7 million in fiscal year 1989 for threatened and endangered species. It is unnecessary to add to the Federal debt to introduce the gray wolf in Yellowstone.

Additionally, the livestock industry cannot withstand the cost of the problems of predation from an endangered species and the inevitable lawsuits environmentalists will bring in the predators' behalf, nor the problems from the Federal Government such as came to Wyoming with the Yellowstone fires which impaired private property outside the park.

The Federal Government did not want to compensate landowners for their losses, and had the audacity to ask that the State of Wyoming help pay for the cost of fighting the fires.

Senator Wallop and Senator Burns today addressed the subject of wolf hybrids, and I would like to say for the record that the April 1990 endangered species technical bulletin published by the U.S. Fish and Wildlife Service stated that biochemical analysis of tissue from 72 Minnesota gray wolves indicated that more than 50 percent may contain DNA from coyotes. If this is true, these hybrids can only be the result of male gray wolves mating with female coyotes. This has serious implications for conservation of pure gray wolves in Minnesota, and until the DNA question has been answered wolf recovery in Yellowstone is premature.

Each of us views the world from our own set of unique perspectives. Even research physicists say that it is not possible to know what is happening without knowing the standpoint of the researcher, and historians tell us there is no such thing as objective history. This is important information in regard to the recent National Park Service report which indicates depredation by wolves will have less impact on wildlife and livestock than others believed to be true. That also would have implication for the EIS that Director Ridenour indicated that the National Park Service advocates.

Studies in Canada and Alaska show that adult wolf packs will consume a tremendous and ever-growing number of ungulates—moose, elk, deer, wild sheep and domestic cattle and sheep. 450 wolves eat 3,600 elk per year. However, research indicates 450 wolves actually kill 7,500 elk or 22,500 deer. They kill but do not eat.

Other research shows figures different than that presented here today by those people from agencies. The Minnesota experience tells us that compensation does not work. As you have heard here earlier today, not only the State but the Federal agency, the ABC, is out of money, and this is only halfway through the program.

In conclusion, let me reemphasize that this is a bill which will have sufficient negative impact on a Western State comprised of 50 percent public lands, lands from which considerable economic benefit accrues to the State of Wyoming through multiple use of forest adjacent to the park.

In addition, the bill does not address what entity would be responsible for costs associated with wolf recovery. Although the National Park Service study released this year indicates that wolf introduction in the greater Yellowstone area—which is a problem, too, because we do not know what the "greater Yellowstone area" means—would have negligible impact on livestock and wildlife. My testimony and discussion here today indicates otherwise.

Lastly, commodity groups and hunters are opposed to this bill because we do not believe our interests will be protected over time, and to use a saying from Senator Simpson, we think that our lights

will be punched out with wolf recovery. The wolf will be used to require lengthy EIS's and provide costly delays to industries that want to make sound use of Wyoming's natural resources, and there will be fewer numbers of wildlife for sportsman activities.

Thank you.

[The prepared statement of Ms. Paseneaux follows:]

STATEMENT OF THE WYOMING WOOL GROWERS
AND
WYOMING PUBLIC LANDS COUNCIL

BEFORE

THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES

SEPTEMBER 19, 1990

Mr. Chairman, I am Carolyn Paseneaux, Executive Director of the Wyoming Wool Growers Association and Wyoming Public Lands Council. I am grateful for the opportunity to submit testimony for this hearing today. Let me preface my remarks by saying that livestock producers, that I represent, would normally be here speaking; however, due to a National Public Lands Annual Meeting being held at this time, I am bringing you their message.

Although their future will be adversely affected by S.2674, I have never heard a rancher say he hates the wolf. What troubles ranchers is all the regulations that come with him. For the agriculture industry and other commodity groups in Wyoming such as oil, gas, timber and mining, introduction of the wolf is a means of exercising control over the management of forests and other lands near Yellowstone. Such control could be the demise of industry in this state, for Wyoming depends upon multiple use of the public lands for economic stability. Critical habitat needed for wolves which roam from the Park could possibly stop oil exploration necessary in response to the Persian Gulf crisis. Carl Haywood of Senator McClure's staff, stated in November, 1989 at the Wyoming Wool Growers annual meeting that the wolf is a surrogate issue for getting graziers off public lands. We agree with Mr. Haywood.

September 19, 1990

FINANCIAL COMMITMENT

Before another step is contemplated toward wolf recovery a federal financial commitment must be assured. States cannot support the cost of endangered programs. The Wyoming Game & Fish Department recently voiced their concern about who will pay for livestock losses and how Wyoming would make up for income lost by the state as a result of reduced game harvests. Not only would the state's wildlife resource be at considerable risk, but the question must be asked, "Who will pay for the management of wolves outside Park boundaries?" A recent report on the nation's economy identified Wyoming as a state whose economy has bottomed out and has not yet begun to trend upwards and a survey released this week says that the majority of Wyoming residents are "worn down" by the poor economy. To burden Wyoming with the wolf at this time would be an irresponsible act of the federal government and of Congress. The federal deficit hangs like an albatross around the necks of the people of America. Federal and State agencies expended \$43.7 million in FY89 for Threatened and Endangered species. It is unnecessary to add to the Federal debt to introduce the grey wolf in the West.

Additionally, the livestock industry cannot withstand the cost of the problems of predation from an endangered species and the inevitable lawsuits environmentalists will bring in the predator's behalf.

September 19, 1990

WOLF HYBRIDS

The April 1990 "Endangered Species Technical Bulletin" published by the US Fish and Wildlife Service stated that "Biochemical analysis of tissue from 72 Minnesota grey wolves (canis lupus) indicated that more than 50 percent may contain mitochondrial DNA from coyotes (canis lupus). If this is true, these hybrids can only be the result of male grey wolves mating with female coyotes. This has serious implications for conservation of pure grey wolves in Minnesota." Secretary of Interior, Manuel Lujan and US Fish and Wildlife Service Director, John Turner have been petitioned by the Farm Bureaus of Wyoming, Idaho and Montana to stop all activity in relation to wolf recovery in Yellowstone until the issue of wolf gene dilution is scientifically addressed. It also calls for a review of the Endangered Species Act (ESA) to determine the advisability of continuing to use the ESA to list species subject to interbreeding. S.2674 calls for the grey wolf to be established in Yellowstone and the Central Idaho Wilderness Area. Until the DNA question has been answered S.2674 is premature.

September 19, 1990

WOLF DAMAGE

Each of us views the world from our own set of unique perspectives. Even research physicists say that it is not possible to know what is happening without knowing the standpoint of the researcher, and historians tell us there is no such thing as objective history. This is important information in regard to the recent NPS report which indicates depredation by wolves will have less impact on wildlife and livestock than others believe will be true.

Studies in Canada and Alaska show that an adult wolf pack will consume a tremendous and ever-growing number of ungulates-moose, elk, deer, wild sheep and domestic cattle and sheep. The August, 1987 issue of National Geographic, page 278, quotes an Alaska Fish and Game biologist as saying "The irrefutable fact is that wolves can and will destroy herbivore prey populations to their own detriment: wolves then face starvation."

Biologists shot wolves from helicopters between 1976 and 1979 south of Fairbanks. A 40 percent reduction in wolves resulted in a tripling of moose by 1986. Wolves are quite capable of seriously lowering ungulate populations. "Due to the wolves potentially high reproductive rate they can rapidly become a significant factor in management of wildlife. They became the

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dominant factor in Northern Vancouver Island where they reduced the deer population by 70-75% over a 7-10 year period. Disease, lack of forage, hunting and severe winters and other forms of predation were all ruled out as causal agents. After wolf control was applied through hunting and trapping, deer populations rapidly increased. In less than 20 years the wolf on Vancouver Island went from complete protection due to its scarcity, to the most significant mortality factor on deer."

Pungent indications are that when wolves disperse from a pack in Canada and Alaska they can and will go 500 miles. That can mean wolves would travel to Ely, Nevada; Cedar City, Utah; Colorado Springs, Colorado; Scotts Bluff, Nebraska; all of Montana and parts of Alberta and Saskatchewan, Canada out of the park.

In Minnesota as wolf numbers have increased livestock losses to depredation have escalated. The viewpoint of the National Park Service study that losses would be negligible is weak and must be challenged.

The Foundation for North American Wild Sheep has expressed alarm over wolf introduction in Yellowstone as this vicious predator will negatively impact the 13 native sheep populations

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in and adjacent to the Parks. That organization jointly signed a resolution against wolf introduction in 1989 along with twelve other organizations from Wyoming, Montana, Idaho, Alaska, New Mexico, Washington, Utah, Oregon, California, Arizona, Colorado, Minnesota, Wisconsin, Nebraska, Maine, South Dakota, North Dakota, Michigan and Hawaii. Another group, the Teton and Park County legislators, expressed opposition to wolf introduction to Yellowstone in a news release in June of this year.

COMPENSATION

The Minnesota experience with wolf depredation and lack of adequate funding to livestock owners is instructive. The USDA stated in the Duluth News-Tribune, dated June 14, 1990 (attached) that both the state level compensation programs and the state-federal control program ran out of money halfway through the year - and well before the heavy depredation season began. Losses have mounted annually as wolf numbers have increased and spread more widely into private ranch and farm lands.

Sheepmen and cattlemen in Wyoming are generally not interested in raising their livestock for wolves to eat and to

September 19, 1990

subsequently have to take welfare payments for losses. They prefer no wolves and no compensation program problems.

CONCLUSION

In conclusion, Mr. Chairman, let me re-emphasize that this is a bill which will have significant negative impact on a Western state comprised of 50 percent public lands,... lands from which considerable economic benefit accrues to the State of Wyoming through multiple use of forests adjacent to the Park. In addition, the bill does not address what entity would be responsible for costs associated with wolf recovery. Although the National Park Service study released this year indicates that wolf introduction in the Greater Yellowstone Area would have negligible impact on livestock and wildlife, my testimony indicates otherwise.

Lastly, commodity groups and hunters are opposed to S.2674. The wolf will be used to require lengthy EIS's and provide costly delays to industries which want to make sound use of Wyoming's natural resources and there will be fewer numbers of wildlife for sportsmen activities.

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Thank you, Mr. Chairman. This concludes my prepared remarks on S.2674.

15 CENTS

THE NORTHLAND'S NEWSPAPER

THURSDAY

Wolves' killing of livestock preys on damage-control funds

By John Myers
Duluth News-Tribune Staff Writer

A record number of livestock killed by timber wolves has bankrupted federal wolf control and state reimbursement programs for farmers, as the dispute continues over how many wolves are roaming northern Minnesota and who will pay for their damage.

The federal wolf damage control program will run out of money and close by July 1 after a record number of claims, said Wil-

liam Paul, district supervisor for the U.S. Department of Agriculture in Grand Rapids. That means there will be no agency to deal with "problem" wolves preying on livestock or pets.

The state Department of Agriculture reimbursement program ran dry in February, the earliest that program has ever run out, said Joe Komros, the department's director of accounting. The state paid \$31,000, up to \$400 for each animal, for wolf damage.

"The number of wolf complaints received to date in 1990 has been the highest ever recorded in the 16-year history of the program," Paul said in a letter to farmers explaining his agency's lack of funding.

Despite the increase in livestock kills and wolf-human contact, state officials in charge of counting wolves say the wolf population isn't exploding.

Results of a state study to re-evaluate the wolf population —

last estimated at 1,200 to 1,500 — have been delayed twice but are set to be released within 10 days, Minnesota Department of Natural Resources officials said.

"I can tell you that it's not the 2,000 range as some people have speculated. It's not that high," said Bluff Joselyn, DNR animal population manager.

Many Northeastern Minnesota residents believe the decade-old population figures are drastically underestimated. DNR wildlife

managers have reported more wolf-human contact than ever before and some believe wolves are losing their wildness or fear of humans.

Paul, along with Dick Wetzel, director of the federal animal control program in Minnesota, is convinced the wolf population in northern Minnesota is increasing rapidly, not just in its traditional range in Northeastern Minnesota,

Please see Wolves, back page

Wolf killings	
Complaints of wolves killing livestock in Minnesota are rising	
Trapped Killed	
1979	15
1980	15
1981	30
1982	31
1983	64
1984	59
1985	95

News-Tribune

Wolves: Livestock being killed at record pace

From Page 1A

But farther south toward Aitkin, Crosby and Park Rapids and west to Grygla and Greenbush.

Livestock and poultry losses have been verified at 22 farms; 37 wolves have been captured and killed so far this year at a time when wolves usually feed on wild animals, Paul said.

With July and August the peak months for livestock kills by wolves, Wetzel said his agency will shatter last year's record of 95 wolves trapped and 81 killed.

"If we don't run out of money first, and we probably will, this will be a record," Wetzel said. "We're three times higher than we

were at this time last year."

The federal control program nearly ran out of money last year but intervention by Rep. Jim Oberstar, D-Minn., allowed the agency to spend more than was budgeted, Wetzel said. More wolves and a rapidly broadening wolf range has forced federal wolf control personnel to drive farther and work more overtime, he said. Wolf control officials drove 15,122 miles in May alone, Paul said.

No other state or federal agencies is allowed to trap and kill wolves. In 1983 and 1984, the Minnesota DNR proposed partially moving the wolf from federal to state control to allow a trapping season to take up to 160 wolves.

That proposal was rejected twice in court.

The DNR's Joselyn said the state's hands are tied even if the population survey shows a marked increase. The state may again try to take some control of wolf populations when the current federal wolf plan comes up for public review in July, he said.

"Part of our comments on the federal plan will be based on our new numbers," Joselyn said. "But all we can do is ask them to de-classify the wolf from being threatened, and I don't think they're going to do that."

Renowned wolf researcher L. David Mech agreed that altering the wolf's federal protection as a threatened species,

tion protection may be beneficial. The population increase comes from total protection that is unnatural, he said.

The change wouldn't mean dropping the threatened classification, but would mean a change in how wolves can be controlled, Mech said.

Without federal money to trap and kill problem wolves, and without state money to reimburse farmers for lost livestock, Wetzel fears residents may take the matter into their own hands and start shooting and trapping wolves despite the prospect of \$20,000 fines under the wolf's federal protection as a threatened species.

Senator McCLURE. Thank you very much.

I have read your statement in full. You were making some reference to some research that had different results than that which was presented to us by the agencies today. I do not see that reference in your prepared statement, so I assumed that was an aside.

Ms. PASENEAUX. It was an aside. Could I give it to you?

Senator McCLURE. If you would provide for us the source of that research, please.

Ms. PASENEAUX. I will. I would be happy to. Thank you.

Senator McCLURE. Thanks very much.

I do not know that I have any extensive questions because I have talked with each of you at various times in the past. I think I know exactly from where you are coming.

Let me suggest only for the record and for the purposes of the record that, indeed, we have had a number of conversations and that I understand the concerns that are expressed by the Idaho cattlemen, for example.

I have also had extensive discussions with the wool growers, and I appreciate the statement that was made today, Cindy.

The thing I guess I am troubled with is you have outlined fears that you have, each of you, and concerns about what may happen or will happen under the bill. None of you has really addressed what happens if there is no bill. You have made reference to petitions that have been filed at various places or actions that have been requested with respect to administrative responses to questions you have asked. There is no assurance that I have heard from anyone that those petitions are going to be successful.

Mr. Geary, do you really believe that because of the DNA question you will be successful in getting the administrative agencies to drop all the wolf recovery plans?

Mr. GEARY. Well, I do not know if we would be able to really be successful in that, but if they are not introducing a wolf that is true in specie to what it should be, and that is what the—

Senator McCLURE. I am not talking about the reintroduction. I am talking about your wanting to stop the recovery plans. We are not talking about reintroduction in that instance.

Mr. GEARY. Okay, that is very true.

Senator McCLURE. If we are not talking about reintroduction, we have a recovery plan in place. You do not like it, but it is there. Do I understand that?

Mr. GEARY. That is correct.

Senator McCLURE. Do you have a formula for getting rid of it, or do you anticipate the recovery plan is going to be there?

Mr. GEARY. Well, I guess I really do not have an answer for that at the present time, Senator. I am not so sure that we have a plan for that, I guess.

Senator McCLURE. I only illustrate that because it is as though this bill is arrayed as the only possible course of action, and you do not like that so stop it and nothing else happens.

Mr. GEARY. No.

Senator McCLURE. Something else does happen.

Mr. GEARY. It was our hope that we would stop the introduction of the wolf in any way and continue to eliminate those that we might have in the area if there are any.

Senator McCCLURE. But if you continue to eliminate them you are going to be up against a very stiff fine.

Mr. GEARY. That is correct.

Senator McCCLURE. Is that correct?

Mr. GEARY. You bet.

Senator McCCLURE. I do not like that as an alternative, either. I know a little bit about the margins in cattle and sheep operations, and one or two fines wipe out that margin for most of the people I know.

Thank you very much. I have no further questions.

Senator WALLOP. You might say the old western recovery plan is the three S's. For those in the back of the room who do not know us westerns, it is shoot, shovel and shut up.

But I have to say that what Jim McClure has done is to point out a reality. The reality is that recovery one way or the other is going to take place. It is either longer and natural or shorter and hopelessly controlled. That is one of the purposes behind his legislation.

I have major problems with it. I have no problem with the conclusion that we have to grapple with that choice. It is not fair to the people you represent to pretend that it is never going to take place, that these wolves are not moving down from Montana. We have seen too many instances where they were farther south than they were expected to be. There have been reported sightings in your State of Idaho. We have one lady who says that she saw them releasing them out of an airplane in Southern Wyoming along the Idaho border, thank goodness.

[Laughter.]

Senator WALLOP. At any rate, it is a point and eyes have to come open. We have to figure out how best to protect the varied interests.

Carolyn, you are correct. It is the regulations that come with it, and I believe the regulations that come with it are more important to some of its advocates than the wolf itself is.

My own belief is that there are many groups who are seeking the control of the five forests around Yellowstone, not because of any great sentimental passion for the wolf but because of the very idea that you can stop the commodity uses. The idea of multiple use is being abandoned by the Forest Service and is being tenuously held onto by the Bureau of Land Management, and it is a problem that we are going to have to confront.

So my hat is off to Jim. This has not been a comfortable thing for him to do. I am quite aware of it.

Let me just leave with two things. Mr. Bennett, you are talking about all the places the coyote is in the east. I happened to see one Sunday on the San Diego Freeway at 10:30 a.m. It was no dog, it was a coyote. It was sitting right out there.

Lastly, I will just point out something in the statement of Mr. Cool, the Director of Montana Fish, Wildlife and Parks which ties into your concerns, Carolyn. That is, habitat for the wolf is not an area but the prey base, and that the habitat critical to it is where the prey base happens to be.

That wandering prey base is going to be more critical to the commodity users than has been the grizzly bear who has certain areas at certain times which are critical to it. With the wolf, any place

where its prey has been will become basically a critical habitat to it. That is what concerns us.

I say to my friends still in the back of the room—and I appreciate their staying here—the Defenders of Wildlife and the National Wildlife Federation, these are the kinds of things that simply have to be answered if America is to remain a fair place and if the communities of the west are to remain economically viable. You cannot get rid of the ranching business and you cannot get rid of the timber business and maintain those small communities of the west on tourism. They just will not live.

The whole process of raising the concerns that you have done here today is responsible. The next most responsible thing is to answer Jim McClure's question of what happens if we do not have this bill. Do not expect that answer here today, but your groups and we must answer that. Somehow or other, it is time for open eyes.

Thank you very much for your testimony.

Senator McCLURE. I wish to thank all the witnesses who have taken the time and trouble to come. I realize that for some there have been very severe conflicts that made it difficult to get representation here. I apologize for that. At this stage of the session it is not always possible to shift hearing dates as easily as it might be earlier. I do appreciate the efforts of the various groups that have been represented here and the individuals who have come here to testify.

The record will remain open for a period of 10 days for additional statements or materials that others may wish to supply for the record.

I believe that concludes this hearing. The subcommittee will be adjourned. Thank you.

[Whereupon, at 5:25 p.m., the hearing was adjourned.]

APPENDIXES

APPENDIX I

RESPONSES TO ADDITIONAL QUESTIONS



IN REPLY REFER TO

N1621(490)

United States Department of the Interior

NATIONAL PARK SERVICE

P.O. BOX 37127

WASHINGTON, D.C. 20013-7127



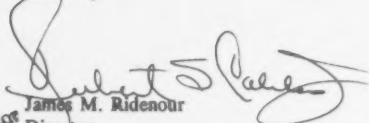
OCT 5 1989

Honorable Dale Bumpers
Chairman, Subcommittee on Public Lands,
National Parks and Forests
Committee on Energy and Natural Resources
United States Senate
Washington, D.C. 20510-6150

Dear Senator Bumpers:

Enclosed are my responses to your follow-up questions for inclusion in the Hearing Record on S. 2674, to provide for the reestablishment of the gray wolf in Yellowstone National Park and the Central Idaho Wilderness Areas. I appreciate having had the opportunity to testify before the Subcommittee.

Sincerely,


for James M. Ridenour
Director

Enclosure

Follow-up Questions Submitted by Senator Bumpers on S. 2674

1. Question: Do you support wolf reintroduction in the Greater Yellowstone Area?

Answer: Yes, the National Park Service supports the recovery and delisting goals of the 1987 Recovery Plan, which are predicated on evidence that natural recovery will occur in the area around Glacier National Park, but that restoration would be necessary to achieve a population in Yellowstone National Park. We support the restoration of wolves in the park as an "experimental population" as allowed under Section 10(j) of the Endangered Species Act.

2. Question: The Fish and Wildlife Service recommended in 1987 in its wolf recovery plan that wolves be reintroduced into the Greater Yellowstone Area. Why has this not happened?

Answer: When the Recovery Plan was approved in August of 1987, the National Park Service was already discussing the issue of wolf restoration with the public and considering a formal proposal. Given the intense public debate about the issue, former Director Mott decided to delay any official proposal in order to spend a year in dialogue with the public about the issue and in objective education efforts about the nature of the wolf, its biology, and its possible impacts on the park. This educational program was undertaken.

In fiscal years 1989 and 1990, the appropriations committee conference reports instructed the Service not to spend any money on preparing an environmental impact statement on wolf restoration, but instead to perform studies to answer several questions about the possible effects of wolves in the area. The 1989 studies were published this past spring, and the 1990 studies are underway, to be finished at the end of December.

3. Question: In the recent Park Service report to Congress regarding wolf reintroduction into Yellowstone the simulation model by Mr. Mark Boyce indicated that "(a)pproximately 30 wolves should be released if assurance of wolf recovery is desired". However, in your testimony you support amending S. 2674 to provide for only 6 pairs, or 12 wolves. Could you explain the apparent inconsistency? Isn't the reintroduction of 12 wolves a bare minimum for recovery?

Answer: Yes, the introduction of 12 wolves is a minimum. The introduction of a larger number would increase the probability of success. However, if 12 are released, and if we are allowed to replace those which die or leave the park, there is a likelihood of success.

We are willing to make reasonable compromises from the optimum numbers in order to move ahead with restoration and, hopefully, ultimate recovery. With 12 wolves, we would have a number small

enough to allow close monitoring, which should help allay public fears. Six pairs is probably the maximum number that can be safely maintained for an extended acclimation period in widely separated pens in remote parts of the park in winter.

Perhaps as important as the size of the initial release group is a high birth rate and a low death rate, which will allow population expansion.

4. Question: You note in your testimony that the core areas in S. 2674 are considerably smaller than those indicated in the recovery plan. What is the potential impact of using the smaller recovery areas as provided for in S. 2674?

Answer: The recovery area should center on Yellowstone National Park; however, we feel there should be some management flexibility in setting the boundaries of the core area. As I stated, the bill could allow modifications to the core to be made by the Secretary during the preparation of an environmental impact statement.

Although the studies and modelling done to date predict that the park can support the recovery plan objective of 10 breeding pairs, no one knows for certain. That is one of the reasons that this reintroduction is "experimental." The estimates of the experts vary, although most of them predict that about a dozen packs could be supported. With a larger recovery area, we would be more certain of achieving a population large enough to delist.

5. Question: You oppose section 5 of S. 2674 which provides for the delist[ing] of the Northern Rocky Mountain gray wolf upon the date of enactment. Could you offer some more detail as to what the potential harm would be in de-listing since the new populations of wolves would have already been introduced?

Answer: Reintroduction by itself does not necessarily mean that a sufficient number of wolves will survive in order to justify delisting. For example, in North Carolina, when endangered red wolves were reintroduced onto Alligator River National Wildlife Refuge, the majority died within the first year of accidents and/or disease. Annual wolf mortality in Minnesota is about 30 percent.

Also, wolves are recurring naturally in and around Glacier National Park. We have five pairs there now, about half way to recovery. These wolves currently are protected by being listed. We would not want to see this population lose all protection by de-listing before it reaches a size large enough to ensure its continuing survival.

If wolves in Yellowstone are classified as a "non-essential, experimental" population, then they can be managed outside the park by regulations, which can be just as effective in containing the animals within designated boundaries as delisting.



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

NOV 5 1990

Honorable Dale Bumpers
Chairman, Subcommittee on Public Lands,
National Parks and Forests
Committee on Energy and Natural Resources
United States Senate
Washington, D.C. 20510-6150

Dear Mr. Chairman:

Enclosed is the additional information requested at the hearing before the Subcommittee on Public Lands, National Parks and Forests, Committee on Energy and Natural Resources, on September 19, 1990, regarding S. 2674, pertaining to reintroduction of the gray wolf into Yellowstone National Park.

The enclosed information has been prepared for insertion in the record at the points indicated thereon.

Thank you for the opportunity to provide this material to the Committee.

Sincerely,

Pamela E. Somers
Legislative Counsel

Enclosures

Answers to Questions Submitted by Senator Bumpers
on S. 2674

Question: Please give us some background on what has transpired since 1973 when the Northern Rocky Mountain gray wolf was declared an endangered species.

Answer: After the Northern Rocky Mountain Wolf was listed as endangered in 1973, the U.S. Fish and Wildlife Service (Service) appointed a recovery team to prepare a recovery plan. The original recovery plan was approved in May 1980. In 1983, the Service and recovery team initiated a revision of the plan. In October 1985, the Service distributed the agency review draft of the revised recovery plan for agency and public review. Because of wide public and Congressional interest in proposed wolf recovery in the Rocky Mountains, the then Director of the Service the revised draft recovery plan to further review by members of Congress, western States, and the public. The revised recovery plan being used today to guide wolf recovery in the Rocky Mountains was approved on August 3, 1987.

In the meantime, the Service has taken an active role in monitoring natural recovery of the wolf in Montana and Idaho. The Service offices in Helena, Montana, and Boise, Idaho, have become active in the documentation of wolf occurrences, sponsoring research (northwestern Montana), disseminating accurate information about wolves, and planning for natural recolonization. Interagency Steering Committees and related working groups have been formed in both States. Natural recolonization has occurred in northwestern Montana during the mid-1980's and continues to progress. Wolves are likely to recolonize in Idaho, although their presence has been difficult to confirm. No packs have been documented at this time.

Question: What efforts have the Fish and Wildlife Service made to implement its recovery plan?

Answer: Three recovery areas were identified in the Northern Rocky Mountain Wolf Recovery Plan: northwest Montana, central Idaho, and Yellowstone National Park. In Montana, there are two full-time employees and one part-time employee in the Service's Helena, Montana, office working on wolf recovery. As stated, the Service has been active in documenting the occurrence of wolves in Montana and Idaho for several years and has active recovery/management programs in both States. These programs include developing interagency working groups in each State to foster wolf recovery and management, documenting current reproduction and dispersal, funding research to document wolf-prey relationships and population dynamics in northwest Montana, and developing and implementing control plans to deal with the problem of wolves depredating on livestock. Information and education programs are also in place in Idaho and Montana. Service personnel have given presentations to a wide variety of public groups (from major scientific symposia to livestock associations to garden clubs) in a concerted effort to provide accurate information to the public on the wolf.

With regard to the Yellowstone National Park area, the Service has hired Dr. Steven Fritts, an experienced wolf biologist, to be its Northern Rocky Mountain Wolf Recovery Coordinator. Dr. Fritts and Service personnel in Montana and Denver, Colorado, have worked closely with the National Park Service in producing the recently published "Wolves for Yellowstone? A Report to the United States Congress." The report addresses four questions posed by Congress in the 1988 appropriations bill. In fiscal year 1990, the Service and National Park Service continued to investigate the potential effects of returning the wolf to the Yellowstone area. This information will be very valuable in evaluating the effects of returning wolves to that ecosystem.

Question: Why did it take so long to prepare a recovery plan and why has more effort not been made to implement the recovery plan's recommendations?

Answer: Recovery plans are outlines of steps that could be taken to recover a species if cost and other practical considerations were not a factor. Thus, they are rather idealistic in approach. Few recovery plans are ever fully implemented. Although actual on-the-ground reintroduction of wolves into Yellowstone has not occurred, the studies currently being done with regard to a reintroduction are part of the recovery plan's recommendations.

Additional information was provided in answer #1 discussing preparation of the recovery plan.

Question: The Fish and Wildlife Service recovery plan for the Northern Rocky Mountain gray wolf calls for development and implementation of a wolf control plan to deal with depredating wolves. Would you please describe the provisions of such a plan?

Answer: The Northern Rocky Mountain Wolf Recovery Plan, signed in 1987, recommended development of a wolf control/contingency plan, in part to reduce opposition to wolf recovery in designated recovery areas. The Service has recognized that a control program must be in place in the West and that wolf control must accompany recovery actions. Authorization for control of the endangered Northern Rocky Mountain wolf is found in Section 10 of the Endangered Species Act. In 1988, the Service completed an Interim Wolf Control Plan for the Northern Rockies of Montana and Wyoming. The plan has since been amended to include Idaho and eastern Washington. The "interim" plan is intended to operate until specific management zones and objectives are established. Any changes in management objectives or zones will be incorporated into subsequent plan amendments. The Interim Wolf Control Plan is based on the concept of wolf control to enhance propagation or survival of the species. Control of problem wolves is expected to reduce the hostility toward wolves that would ultimately result in illegal killing. Section 10(a) of the Endangered Species Act includes a provision allowing the Secretary of the Interior to permit acts otherwise prohibited by Section 9 (including the taking of endangered species) for scientific purposes or to enhance the survival of the species. Section 10 permits are required for any wolf control actions, and, according

to the requirements of the Act, such actions or programs must be for scientific purposes or to enhance propagation or survival of the species.

Under the Interim Control Plan, capture, relocation, or removal of wolves can be conducted by qualified Federal, State, or Tribal personnel under a Section 10 permit issued by the Service. Involvement by the public is not allowed. If efforts to live-capture the animals are unsuccessful and depredations continue, lethal control (shooting) may be used in accordance with control agency policy/guidelines and in consultation with the Service. In the three control actions to date in Montana, the actual work has been a cooperative effort of the Service and the Animal and Plant Health Inspection Service's Animal Damage Control.

The Interim Wolf Control Plan includes guidelines for determining problem wolf status, conducting control actions, and disposition of problem wolves. By controlling specific depredating wolves, the Service believes that the overall survival of the species will be enhanced. Control actions will demonstrate to the public that the responsible Federal agencies will act quickly to resolve depredation problems. Thus, landowner opposition to wolf recovery, which often results in indiscriminate killing, should be reduced and overall species recovery enhanced.

Question: Would such a control plan allow private individuals to kill wolves that ventured onto their lands?

Answer: No. Under this plan, trapping, relocating, or killing of wolves can be conducted by: (a) authorized personnel of the Service, Tribes, and cooperating State and Federal agencies, or (b) designated agents of the Service. Unless allowed by special rules for an experimental population, the only scenario in which a private individual could kill a wolf would be in defense of his or her life or the life of others.

If wolves were reintroduced to Yellowstone and central Idaho as experimental populations, special management rules could be written that might allow private individuals to take wolves if such taking can be shown to be consistent with the conservation of those experimental populations. The current control plan would not be in effect for an experimental population; a separate control plan would be required. Preparation of a special control plan would most likely be done as part of the rulemaking process, with participation of the three States. Provisions detailing when, how, and who could conduct control activities would be written into the special rules for the experimental population.

Question: The Fish and Wildlife Service recovery plan called for reintroduction only in the Greater Yellowstone area. Do you support reintroduction in Idaho as provided for in this bill?

Answer: The recovery plan includes the expectation that natural recolonization will occur in central Idaho. The current growth of the

wolf population in Montana and natural dispersal of animals will expedite wolf establishment in Idaho, as would a reintroduction to the greater Yellowstone area.

Question: Could you please give us some more detail on the flexibility within the Endangered Species Act regarding experimental populations?

Answer: The Northern Rocky Mountain Wolf Recovery Plan recommended reintroduction of wolves to Yellowstone National Park as an "experimental population." This designation has been touted within the conservation community as providing the management flexibility needed to render reintroduction workable. Considerable discussion has occurred about that possibility; however, some misunderstanding exists about what an experimental population is and how it would be regulated. The "experimental population" designation had its origin in an amendment to the Endangered Species Act in 1982. Before 1982, the Service could reintroduce threatened and endangered species into unoccupied historical range; however, many attempts to do so were fervently resisted. The Service lacked the ability to assure other Federal agencies, State and local governments, and private landowners that transplanted populations would not disrupt their future land management options due to the "jeopardy" prohibition of Section 7 and/or the taking prohibition of Section 9 of the Act. Such resistance caused the Service to abandon plans to reintroduce endangered red wolves to Kentucky and Tennessee in 1984. In an effort to encourage acceptance of reintroductions, Congress amended the Endangered Species Act in 1982 to include a new Section 10(j) that allowed the Secretary of the Interior the opportunity to designate reintroduced populations as "experimental." The 1982 amendment defined an experimental population as "any population (including any offspring arising solely therefrom) authorized by the Secretary for release under paragraph (2), but only when, and at such times as, the population is wholly separate geographically from nonexperimental populations of the same species." [Section 10 (j)(1)].

Further, in the amendment it is made clear that the term applies to populations that are derived from endangered or threatened species for which the Secretary has determined that a release will further the conservation of that species. Section 10(j)(2)(c) gives the Service more flexibility for the management of these populations by providing that all experimental populations shall be treated as threatened species regardless of the status of the donor population. Regulations implementing Section 10(j) were published on August 27, 1984, and are codified at 50 CFR Part 17, Subpart H.

The rulemaking process for experimental populations is done in accordance with 50 CFR 17.81. Before designating a population as "experimental," the Secretary must determine, through the rulemaking process, that the reintroduction will further the conservation of the species, the geographic location of the population, and if such a population is essential or nonessential. Designation would include the development of proposed special rules to identify geographically the location of the experimental population, procedures for its management (possibly including special

activities designed to contain the population), and compliance with the Administrative Procedure Act, which involves public review of the rulemaking and publishing the preceding in the Federal Register.

Experimental populations must be designated either "essential" or "nonessential." "Essential" refers to a reintroduced population whose loss would reduce the likelihood of the survival of the species in the wild. Essential populations receive the full protection of Section 7, meaning that Federal agencies must formally consult with the Service on actions that may affect the species [Section 7 (a)(2)]. "Nonessential" refers to an experimental population whose loss would not appreciably reduce the likelihood of the survival of the species in the wild. Except in National Wildlife Refuges or National Parks, "nonessential" populations are treated under Section 7 as "proposed species." Thus, as provided in Section 7(a)(4), Federal agencies must only confer with the Service on activities that might jeopardize the species. A jeopardy ruling by the Service does not prohibit the Federal agency from committing resources to a proposed activity. In National Parks and National Wildlife Refuges, experimental populations are treated as threatened species under Section 7(a)(2). Congress intended that most experimental populations be considered "non-essential" (H. Rept. No. ___ - 835).

As provided in Section 10(j)(2)(c) and 50 CFR 17.82, all experimental populations are treated as threatened species for which the Service must write special rules concerning prohibited acts. Basically, the writing of special rules provides the Service the opportunity to tailor the reintroduction of an experimental population to specific areas and specific local conditions, including specific opposition.

The experimental population designation and the potential control of an experimental population of wolves in the Yellowstone area are discussed in detail in the report, "Wolves for Yellowstone?" A Report to the United States Congress," pages 1-31 to 1-39.

Question: Is there a need in your opinion, for special legislation to accomplish the goal of recovering wolves in Yellowstone and Idaho?

Answer: The Fish and Wildlife Service contends that no special legislation is required by the Endangered Species Act. Complete authority for the action already exists. However, because of the controversy surrounding this particular issue, legislation may be helpful to ensure that States are actively involved.

Question: Will the "experimental population" provision under existing endangered species law provide enough flexibility to control wolves if they prey on livestock or pose a threat to maintaining healthy game herds?

Answer: The Fish and Wildlife Service contends that sufficient flexibility is contained in the experimental population provision to control problem wolves. [Note that wolves can be controlled now following depredations on livestock under Section 10(a) of the Endangered Species Act, and still more

control should be possible under Section 10(j)]. The degree of control must, however, be consistent with the conservation of the population, and the Service will have to demonstrate that whatever degree of control is allowed in the special rules would be consistent with the conservation of the population. The rules must justify that control would be easier if the control were done by Federal or State agents than if it were done by members of the public. Whether or not a high degree of control would stand up in the courts is a question we cannot answer. Concern that special rules for an experimental population could be challenged in court is one reason that some are seeking a legislative solution, as that would guarantee State management and liberal control that would satisfy local concerns. However, such liberal control may not be consistent with the conservation of the population.

Please note that Section 10(j) of the Act allows the States to adopt flexible management regimes for experimental populations, but all of the population continues to be under ultimate Federal control. The regulation establishing a Yellowstone experimental population could set forth the provisions to control and contain the population outside Yellowstone National Park and then provide that the States implement the requirements subject to Federal oversight. However, the regulations could not simply yield to the States complete authority to determine how the wolf would be managed outside the Park. Again, the crux of the matter is whether the Service can show that the level of control proposed is consistent with the conservation of the population.

Question: Do you have a specific proposal that would not require special legislation that you feel would accomplish the goal of recovering wolves in Yellowstone, Idaho, and Wyoming?

Answer: We are developing a plan that would involve an experimental reintroduction of wolves to Yellowstone Park as an experimental population. Otherwise, we are relying on the provision of the recovery plan that addresses recovery of wolves in Montana and central Idaho. The recovery plan assumes that natural recovery will occur in those areas, and we believe that actions consistent with the recovery plan are adequate to allow recovery in those areas.

Question: Senator McClure suggests readjusting the "core zone boundary" in Idaho once three packs of wolves are established. Wolves have very dynamic territories which often change from year to year. How would this "zone boundary" respond to the real-life habits of wolves?

Answer: Allowing the territories of the three breeding pairs to define the boundaries of the core zone is not a sound strategy, as wolf territories shift over time. Shifts can occur as the result of changes in prey distribution, spatial preferences of pack leaders, movements and behavior of adjacent packs, and for no apparent reason at all. This method of delineating the final size and shape of the core zone can only result in

the currently drawn area shrinking or remaining the same--not expanding. An area defined in this manner probably would not support a viable wolf population over a significant period of time. The core area defined in S. 2674 already is small, with limited winter range for elk and deer. Since deer and elk are the primary wild food base for the wolf, there is small likelihood that the wolves would stay in the core area as now described.

Question: The Idaho legislature passed a law in 1988 which precludes the Idaho Department of Fish and Game from being involved in wolf management. How will wolves outside the central Idaho recovery zone be managed in Idaho if S. 2674 becomes law?

Answer: This is a difficult question to answer, as management in central Idaho outside the core zone would be outside the purview of the Fish and Wildlife Service, because the wolf would be delisted. This would logically place wolves under the legal purview of the State of Idaho, and current State law would protect them as "endangered." However, Idaho Senate Bill 1281 prevents active involvement of the Idaho Department of Fish and Game (Department) in wolf management, including the expenditure of funds for such activities. The Department is authorized to handle nuisance wolf problems, but State law would require amendment to legitimize a more active role by the Department in wolf management. We have no assurance that the Idaho legislature would make the changes necessary to allow a more active role by the Department or that the legislature would afford the wolf any protection outside the central Idaho core area. This same issue must be addressed in Wyoming, where the wolf currently is classified as a predator. In addition, the Animal Damage Control program of the U.S. Animal and Plant Health Inspection Service could deal with problem animals as they currently do with coyotes and other predator species.

Question: Have there been any documented livestock depredation problems attributed to wolves in recent years in Idaho and Montana? Have wolves been illegally shot in Idaho and Montana in recent years?

Answer: No livestock depredation has been documented in Idaho. Depredations on livestock occurred in Montana in 1987 (Browning area), 1989 (Marion area west of Kalispell), and 1990 (Marion again, portions of the same pack). The number of livestock that have been confirmed killed are 14 cattle and 10 sheep. The ranchers who suffered these losses were reimbursed at current market value, by the non-government Defenders of Wildlife wolf recovery fund. A total of 11 wolves have been taken in control efforts in the last 4 years in response to those depredations. Guidelines for conducting wolf control are described in the Interim Wolf Control Plan, Northern Rockies of Montana and Wyoming. The legal basis for control is Section 10(a) of the Endangered Species Act, which allows the taking of endangered species if it enhances the survival of the species.

In Idaho, a wolf was killed illegally on the Boise National Forest in 1978. In Montana, at least three wolves have been killed illegally (all likely shot) in the last 10 years.

APPENDIX II

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

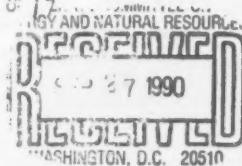


THE WILDLIFE SOCIETY

5410 Grosvenor Lane • Bethesda, MD 20814-2197
Tel: (301) 897-9770 • Fax: (301) 530-2471

24 September 1990

The Honorable J. Bennett Johnston, Chairman
Committee on Energy and Natural Resources
SD-364 Dirksen Senate Office Building
Washington, DC 20510-6150



Dear Chairman Johnston:

The Wildlife Society appreciates the opportunity to submit the following comments regarding S.2674, introduced by Senator McClure to facilitate the reintroduction of wolves into Yellowstone National Park and central Idaho wilderness areas. The Wildlife Society is the scientific and educational association of more than 8,900 wildlife researchers, managers, educators, and administrators working to promote wise stewardship of our natural resources. We wish to include the attached position statement concerning reintroduction of wolves for the record. We also are completing a comprehensive technical review paper on reintroductions of wolves in North America that should be available later this year.

We recognize that National Parks and Wilderness Areas should be places where natural dynamic processes will be fostered and human intrusions kept at levels that are compatible with maintaining natural ecosystems with as little modification as possible. Predation is a dominant and critical natural process, and restoration of the gray wolf must be considered a major step towards restoring this process to Yellowstone National Park and central Idaho.

We also recognize that natural recolonization of the Yellowstone National Park area by wolves is unlikely to occur. While recent records of wolves in portions of this area may be factual, there has been no documented pack activity. This is not surprising because wolves have been recolonizing portions of southern Canada along the United States border, and the extreme northern portions of Montana and Washington. Some individual wolves may be expected to disperse to areas south of their present range. However, the records reflect a pattern of occurrence and disappearance without any breeding activity. The presence of individual wolves in these areas is not satisfactory evidence of recolonization, especially in the proposed recovery areas that are great distances away from current breeding range.

The Honorable J. Bennett Johnston
24 September 1990

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Translocation of wolves to designated areas provides a better method of ensuring their presence where they are wanted than does natural recolonization. Assuming translocated wolves are radio-collared, their movements and activities can be readily determined. Under natural recolonization, it would be much more difficult to control wolves because it would be necessary to capture free-ranging animals.

The need to manage wolf populations in the areas surrounding the Yellowstone National Park and in the central Idaho core areas must be recognized. The large proportion of the prey base inside the Park that migrates to winter ranges outside, and the resident prey base outside are subject to hunting. In several cases, hunting is the major mortality factor for elk, and population levels are purposefully regulated by adjusting hunter harvest. Predators and the prey species must be managed with regulated hunting mortality in mind, and if wolves are reintroduced, the combined mortality accruing to these prey populations will have to be considered. The state wildlife agencies responsible for big game population management and regulation of the hunter harvest must be involved with management of wolf populations when they range beyond the reintroduction zones.

There obviously is a large national interest in wolf recovery in the contiguous United States. The U.S. Fish & Wildlife Service represents this national interest and should be directly involved in wolf recovery. This involvement is necessary through the Endangered Species Act (ESA). We believe the experimental population provision of the ESA, allowing designation of nonessential populations, is the vehicle for Fish & Wildlife Service involvement and should be included in this legislation. Provisions to support state wildlife agency activities with funding through the Endangered Species Act also would provide for cooperation at the federal and state levels in a wolf reintroduction program.

There is now extensive documentation concerning the effects of wolves in the Yellowstone ecosystem and problems involving their management in the Wolf Recovery Plan prepared by the U.S. Fish and Wildlife Service, and the document "Wolves for Yellowstone" prepared by the U.S. Fish & Wildlife Service and the National Park Service. Experience from the ongoing red wolf recovery program in North Carolina also can provide procedures for conducting wolf reintroduction into Yellowstone and central Idaho. S.2674 does not preclude additional consultation and helps to expedite the reintroduction. The legislation also specifies that the central Idaho recovery area will be included in the reintroduction program. The Wildlife Society believes that including Idaho is important because it represents another area where viable wolf populations may become established within the contiguous 48 states.

The Honorable J. Bennett Johnston
24 September 1990

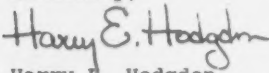
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We believe S.2674 provides a potentially useful approach to expediting wolf recovery to Yellowstone National Park and central Idaho, and could minimize further delays. This legislation could be improved if it were amended so the wolves relocated to the area were designated under the experimental population provision of the Endangered Species Act. This also would ensure state and federal cooperation and provide a mechanism wherein state wildlife agency activities may be funded.

One contingency not considered in S.2674 is the probable natural re-establishment of wolf populations in the Kootenai River drainage of extreme northern Idaho and Montana. This drainage is outside of the designated recovery areas, and when recolonization occurs, plans to monitor and manage wolf populations will be required. Experience with colonizing wolf populations in Montana suggests that a management plan for wolves occupying the Kootenai River drainage, developed jointly by both states with federal involvement, should be addressed and finalized before colonization occurs.

Thank you for considering the views of the association of wildlife managers. Please enter this testimony into the official 19 September 1990 hearing record.

Sincerely,



Harry E. Hodgdon
Executive Director

Attachment



THE WILDLIFE SOCIETY

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Reintroduction of Wolves

Gray and red wolves are threatened or endangered in the contiguous 48 states. Plans to reestablish populations in portions of their original range are being developed. Recovery efforts include allowing natural recolonization in some areas and reintroduction into others. Restoration of sustaining populations of these species to suitable habitats represents an opportunity to partially reverse a long history of persecution by humans. This effort provides implicit recognition that there is suitable habitat, and change in social values, for these species to exist in areas where other uses are not inimical to their presence. Additionally, the ecological role of these species should be restored to selected national parks, wilderness areas, wildlife refuges, and other public and private lands, where natural dynamic processes are emphasized and perpetuated. Concern over consequences of wolf reintroductions has been expressed by livestock and hunting interests, among others. Reintroduction of these highly controversial species must consider socioeconomic realities if wild populations are to be sustained. Legal ramifications and intergovernmental issues also must be understood and considered.

The policy of The Wildlife Society in regard to restoration of wolves is to:

1. Recognize that wolves occupy an important ecological niche and should be restored and maintained in selected portions of their original range in the contiguous United States.
2. Support efforts to reestablish sustaining populations into portions of their previously occupied range where ecological and socioeconomic conditions are suitable.
3. Encourage cooperation between all public agencies and private individuals concerned with reintroductions and recovery by natural recolonization.
4. Encourage timely dissemination of accurate information regarding the ecology, values, and management of wolves.
5. Support intensive monitoring programs to measure success and progress of natural recolonization and reintroduction programs.
6. Encourage use of the experimental population provision of the Endangered Species Act for recovery of viable populations of these species.
7. Support efforts to manage wolf populations to minimize depredations on livestock.
8. Recognize that competition for prey between wolves and humans may occur. Wolf population management will have to reflect this possibility.



THE WILDLIFE LEGISLATIVE FUND OF AMERICA
 To protect the Heritage of the American Sportsman to hunt, to fish and to trap.

1000 Connecticut Avenue, N.W.
 Suite 1202
 Washington, D.C. 20036
 202/466-4407

September 26, 1990

Senator Dale Bumpers, Chairman
 Senate Subcommittee on Public Lands, National Parks and Forests
 SD-308 Dirksen Senate Office Building
 Washington, D.C. 20510

Dear Senator Bumpers:

The Wildlife Legislative Fund of America (WLFA) is submitting these comments concerning S.2674 (Northern Rocky Mountain Gray Wolf Restoration). We would like to request that they be entered into the September 19, 1990 hearing records.

For the record, The Wildlife Legislative Fund of America (WLFA) is a national association of sportsmen's conservation organizations. It provides legislative lobbying, legal defense and public education services. Through its associated organizations, the WLFA represents an aggregate membership of more than one million sportsmen-conservationists.

The WLFA is supportive of the basic positions taken by the State agencies relative to this legislation. We are opposed to any introductions of wolves to this area unless: (1) the involved States concur with a predetermined reintroduction plan; (2) there are guarantees that the species will be actively managed, including controls, outside the core areas; and (3) the species is officially down listed from endangered or threatened status outside the core areas in advance of any introduction.

The WLFA has consistently taken the position that there is a national obligation to develop reasonable recovery plans for all endangered or threatened species. The Endangered Species Act does not require, however, that all recovery plans are incomplete until each species occupies its entire former range. If it did, we would be required to introduce the gray wolf to Central Park. This is a key element in the controversy over the reintroduction of the gray wolf to Yellowstone National Park.

The proposal to reintroduce wolves to Yellowstone Park are primarily based on emotional zeal to establish "natural ecosystems" for this popular National Park. Needless to say, it would be nice

to provide for the public enjoyment of wild populations of gray wolves in the Park, if this issue were simply limited to the Park.

It is absolutely imperative that adequate management guarantees are built into any recovery plan to assure that each State has the necessary authority to control wolf populations outside the core areas. If adequate funding and documented guarantees are not assured in advance, no wolf reintroduction should occur.

If the reintroduction of wolves is seriously contemplated it should be considered a Federal obligation to compensate the States and adjacent landowners for any economic losses resulting from wolf depredation, including livestock and wildlife. Unless these funds are automatically available each year, then the reintroduction program should self destruct through the removal of the entire experimental population.

Although we concur with Director Turner that the Fish and Wildlife Service has the authority to classify these introductions as experimental populations, we feel that with the controversy surrounding this type of introduction, Congress should either legislate experimental population status or preferably delisting entirely. Past experience with the Service and the Endangered Species Act dealing with "experimental populations" status has not worked well for the States and has proven to be extremely cumbersome. We would like to stress that we do not doubt the sincerity of Director Turner and his staff in trying to create a cooperative effort between the Federal Government, the States and the impacted members of the public. We do, however, wish to reduce the potential for compromising litigation which will undoubtedly arise over authorized activities under "experimental" status after the reintroduction is completed.

We are obviously pushing for the establishment of concrete "rules of the game" before any introduction occurs. We are also pushing for Congressional clarification or ratification prior to reintroduction to reduce administrative or litigative tampering with the rules. Most importantly, the States must be willing partners in this endeavor or the whole program is doomed to defeat or at best will produce bitter long term enemies.

In examining the pluses and minuses of any proposed reintroduction of wildlife, especially efficient predators, it is critical that we look beyond just the emotional benefits. It might also help to examine other similar experiences for guidance. For instance, examine the reintroduction of the sea otter to some of its previous ranges in Alaska, British Columbia, Washington and Oregon. The reestablishment of viable and expanding populations in Alaska have, for instance, produced severe economic hardships due to the inability of the State to regulate and control the numbers of sea otters. Today, these predators have successfully wiped out or significantly reduced abalone, crab populations, clam populations

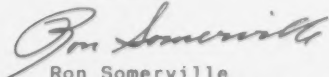
and sea urchins from major areas of their newly reoccupied ranges. It is doubtful that the State would have ever undertaken the responsibility for reestablishment of this species throughout its range had it known that management of the species would have been later prohibited by the Marine Mammal Protection Act.

We would also like to point out that the impacts of wolf reintroductions on wildlife populations have not been accurately portrayed. Advocates would have you believe that wolves would have an insignificant affect on wildlife prey populations. While prey populations are high, as they appear to be at this time in Yellowstone National Park, we concur that the percentage reductions would be tolerable and probably beneficial. However, studies in Minnesota and Alaska have clearly demonstrated that during normal cyclical low periods for prey populations caused by severe weather or other natural causes, continued high losses due to predation by unmanaged wolf populations or other predators can cause severe percentage losses in already low prey populations. In fact, efficient wolf predation can cause even further declines or significantly delay the recovery period. These sort of impacts may be acceptable in a National Park but it is not desirable in adjoining multiple use public lands--especially when it is almost entirely predictable and avoidable. At least, the public should be made aware of the trade-offs and potential impacts on wildlife and other resources occupying adjacent public and private lands. The alternative is to guarantee mitigation and compensation should the "no impact" predictions of the reintroduction advocates prove to be in error.

The WLFA would like to go on record as opposing any reintroduction of gray wolves to Yellowstone National Park until the above concerns are specifically dealt with by the Agencies and Congress. We concur that legislation is necessary to clearly spell out the ground rules for this reintroduction. Because of the ultimate burden carried by the involved State's, we would vigorously oppose any transplant unless they were totally agreeable to any long term recovery plan.

We appreciate the opportunity to comment on this important bill.

Sincerely,



Ron Somerville
Director of International and National Affairs

cc: All Senators on the Senate Committee on Energy and Natural Resources



THE WILDERNESS SOCIETY

IDAHO OFFICE

October 1, 1990

The Honorable Senator Dale Bumpers, Chairman
Senate Subcommittee on Public Lands, National Parks and Forests
308 Senate Dirksen Office Building
Constitution Avenue and First St. NE
Washington, D.C. 20510

RE: S. 2674, Senator McClure's Wolf Reintroduction legislation

Dear Senator Bumpers,

The Idaho office of The Wilderness Society supported the testimony of the Greater Yellowstone Coalition at your subcommittee hearing on September 19. I would like to take this opportunity to provide some additional comments on S. 2674 specifically directed at the legislation's potential impact on Idaho's wolf population.

Background

Wolves in Idaho are protected as an endangered species under the federal Endangered Species Act. The recovery plan for Idaho's wolves, written by the U.S. Fish and Wildlife Service and approved in 1987, relies on natural recolonization of wolves from Montana and Canada to re-establish a viable population. The U.S. Fish and Wildlife Service target for a recovered Idaho wolf population is ten breeding pairs.

Over the past ten years there have been more than 600 reports of wolves in Idaho. The U.S. Fish and Wildlife Service estimates approximately 10 - 15 individual wolves currently live in Idaho.

S. 2674

S. 2674 would actually be a step backward for the recovery of Idaho's wolf population. Under this legislation, wolves would be stripped of any protection under the Endangered Species Act outside the tiny "core recovery area" defined in S. 2674. As you can see from the enclosed map, there is little overlap between the core recovery area and the majority of wolf sightings within Idaho.

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(208) 343-8153

One of the most alarming aspects of S. 2674 is that this legislation would transfer jurisdiction over wolves outside the core recovery area to the state of Idaho. However, under a law passed by the state legislature in 1987, S.B. 1281 (enclosed), the Idaho Department of Fish and Game is prohibited from managing wolves. There is no existing mechanism for the state's professional wildlife biologists to manage wolves other than traditional predator controls.

Very little wolf habitat exists in the core recovery area as defined in S. 2674, primarily because the core recovery area contains little elk and deer winter range. Wolves are closely tied to the habits of their prey, in this case deer and elk, and wolves within the core recovery area will surely disperse outside the area during winter, thus losing their protected status.

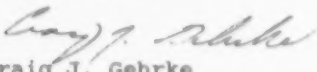
No scientific documentation has been supplied that supports S. 2674's assertion that three pairs of wolves constitutes a viable, recovered population. As stated above, the U.S. Fish and Wildlife Service goal is ten pairs of wolves for Idaho.

S. 2674's efforts to artificially establish breeding wolf pairs in Idaho is unneeded. What is needed is exactly the mechanism currently in place: full protection for wolves under the Endangered Species Act while the population naturally re-establishes itself in Idaho.

Summary

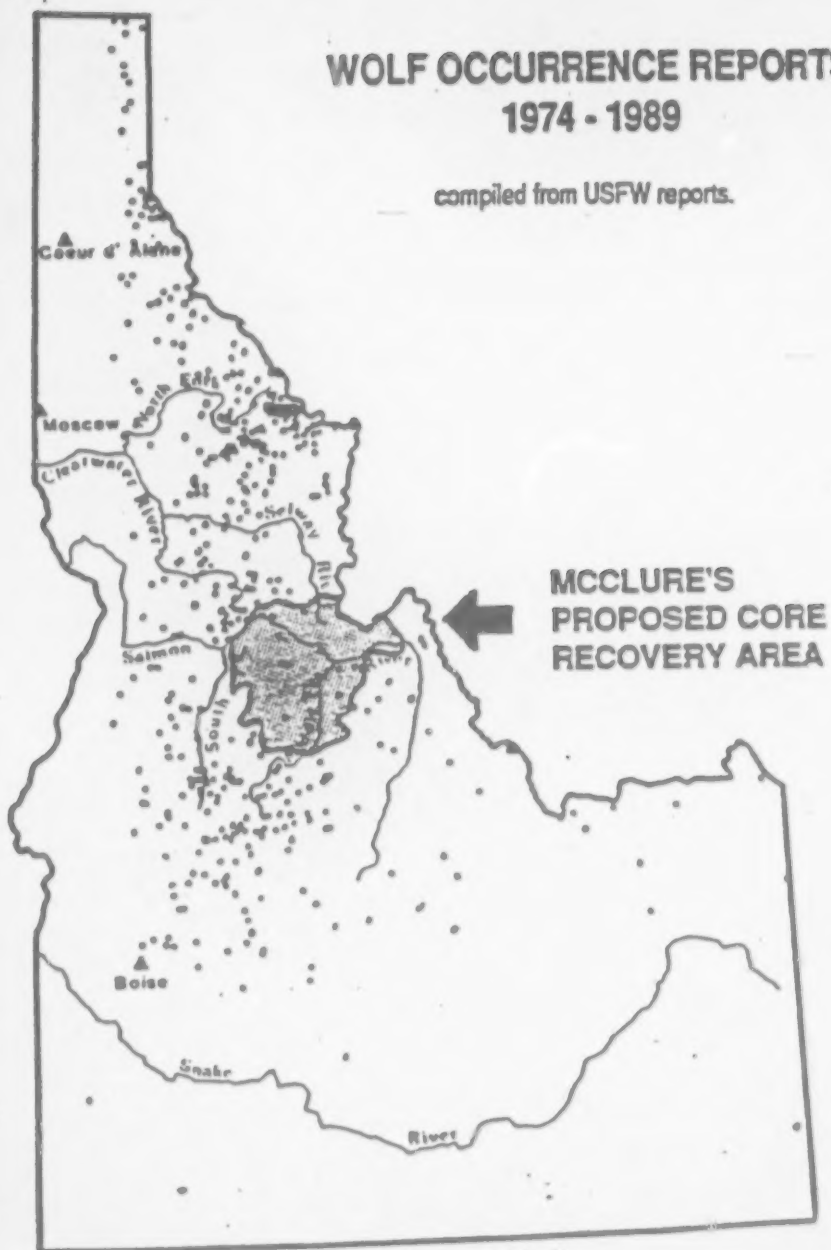
S. 2674 is an attempt to severely limit the recovery and dispersal of wolves in Idaho to a tiny portion of the state's backcountry. It contradicts the professional recommendations for wolf recovery of the U.S. Fish and Wildlife Service by creating a ridiculously small recovery area and by setting an arbitrary limit on the number of wolf pairs allowed that is only one-third of what has been recommended. The Idaho office of The Wilderness Society urges that Congress not adopt this plan, but rather allow the natural re-colonization of wolves in Idaho under the existing recovery plan to continue. The recovery plan is a genuine attempt to re-establish wolves in Idaho, and should not be abandoned.

Sincerely,


Craig J. Gehrke
Regional Director

WOLF OCCURRENCE REPORTS 1974 - 1989

compiled from USFW reports.



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Forty-ninth Legislature

LEGISLATURE OF THE STATE OF IDAHO

Second Regular Session -- 1988

Moved by BeicelsbacherSeconded by CarlsonIN THE SENATE
SENATE AMENDMENT TO S.B. NO. 128

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AMENDMENT TO SECTION 1 AND THE BILL

On page 1 of the printed bill following line 22, insert:

BOISE STATE

"(4) Any canine exhibiting primary wolf characteristics shall be classified as a wolf for the purpose of identification. All such canines shall be tattooed, registered and licensed by the department of fish and game. The department shall be responsible for collection of fees to administer this program as outlined by rule and regulation."

SECTION 2. That Chapter 7, Title 36, Idaho Code, be and the same is hereby amended by the addition of a NEW SECTION to be known and designated as Section 36-715, Idaho Code, and to read as follows:

36-715. DUTIES OF THE DEPARTMENT OF FISH AND GAME REGARDING THE ENDANGERED SPECIES ACT. (1) Since wolf/dog hybridizations are known to exist within Idaho and these hybrids are not protected by the United States endangered species act, a biological evaluation shall be required of the animal to determine species priority before the department of fish and game may take any action in accordance with the United States endangered species act.

(2) The department of fish and game shall not be authorized to expend funds, transfer assets or enter into a cooperative agreement with any agency, department or entity of the United States government concerning grizzly bears or wolves unless expressly authorized by state statute.

(3) If a grizzly bear or wolf is sighted, the burden of proof concerning the reported presence of the species within Idaho shall rest with the observer and the department of fish and game shall take no action to enforce the United States endangered species act regarding grizzly bears or wolves in absence of that proof.

SECTION 3. This act shall be in full force and effect on and after July 1, 1988; provided, however, that the provisions of Section 1 of this act requiring tattooing shall not apply to wolves held in captivity on June 30, 1988."

CORRECTION TO TITLE

On page 1 of the printed bill in line 3 following "WOLVES" insert: ", TO PROVIDE APPLICATION TO CANINES EXHIBITING PRIMARY WOLF CHARACTERISTICS AND TO PROVIDE FEES; AMENDING CHAPTER 7, TITLE 36, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 36-715, IDAHO CODE, TO PROVIDE DUTIES OF THE DEPARTMENT OF FISH AND GAME REGARDING ENFORCING AND ADMINISTERING THE UNITED STATES ENDANGERED SPECIES ACT; AND PROVIDING APPLICATION OF PORTIONS OF THIS ACT".

SECTION

415

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Forty-ninth Legislature

LEGISLATURE OF THE STATE OF IDAHO

Znd
Second Regular Session - 1988

IN THE SENATE

SENATE BILL NO. 1291

BY RESOURCES AND ENVIRONMENT COMMITTEE

AN ACT

RELATING TO THE TATTOOING AND EARTAGGING OF WOLVES; AMENDING SECTION 36-712, IDAHO CODE, TO DELETE THE REQUIREMENT FOR THE EARTAGGING OF WOLVES.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 36-712, Idaho Code, be, and the same is hereby amended to read as follows:

36-712. TATTOOING AND EARTAGGING OF WOLVES -- WHEN REQUIRED. (a) Any wolf that is captured alive to be later released or which is born or held in captivity for any purpose must be reported to the department within three (3) days of the capture or commencement of captivity. If a person capturing or holding in captivity such animal fails to report the animal as required in this section, the person shall be guilty of a misdemeanor and shall be punished by a fine not in excess of one thousand dollars (\$1,000) for each animal the person possesses which has not been reported as required in this section.

(b) Each animal reported as required in subsection (a) of this section shall be permanently tattooed and ear-tagged in a manner that will provide positive individual identification of the animal. No tattoo or ear-tag is required under this section if the animal is subject to a permanent individual identification process by another state or federal agency.

(c) Any person holding a wolf in captivity shall immediately report to the department any death, escape, release, transfer of custody or other disposition of the animal.

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October 2, 1990

The Honorable Dale Bumpers
229 Senate Dirksen Office Building
Washington, D.C. 20510

Dear Senator Bumpers:

On behalf of our 1.2 million members and constituents, The Humane Society of the United States (HSUS) strongly supports restoring the gray wolf to suitable areas from which they have been extirpated. Nevertheless, we cannot support Senate bill S. 2674. Our reasons are as follows:

1. The bill calls for the introduction of only three pairs of wolves into selected "core" recovery zones in the northern Rockies. This number is inadequate to establish with any certainty new wolf populations. The bill as written may in fact guarantee failure of gray wolf recovery. Further, technical decisions regarding wolf reintroduction are best made by wolf biologists charged with the task of wolf recovery.
2. The bill would require the Secretary of Interior to remove wolves that do not remain within the limited core areas, whether or not these animals are in conflict with humans. In this sense, this bill does not encourage people to coexist with gray wolves, as is the case for people and wolves in Minnesota.
3. The bill would automatically delist under the Endangered Species Act those wolves that occur beyond the core recovery areas. Delisting should not be allowed until a species is, in fact, recovered. Legislation should not mandate the removal of an

Senator Bumpers
October 2, 1990
Page Two

animal from the endangered species list.

In lieu of Senate bill S. 2674, we strongly encourage the Congress to support wolf reintroduction not only in the Northern Rockies but in other regions as well, through full implementation of the Endangered Species Act of 1973.

Sincerely,



Tony Povilitis
Senior Scientist
Wildlife and Habitat Protection